

Sexual Morality
in Ancient Rome

REBECCA LANGLANDS

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SEXUAL MORALITY IN ANCIENT ROME

Traditionally, scholars have approached Roman sexuality using categories of sexual ethics drawn from contemporary, Western society. In this book Dr Langlands seeks to move away from these towards a deeper understanding of the issues that mattered to the Romans themselves, and the ways in which they negotiated them, by focusing on the untranslatable concept of *pudicitia* (broadly meaning 'sexual virtue'). She offers a series of nuanced close readings of texts from a wide spectrum of Latin literature, including history, oratory, love poetry and Valerius Maximus' work *Memorable Deeds and Sayings*. *Pudicitia* emerges as a controversial and unsettled topic, at the heart of Roman debates about the difference between men and women, the relation between mind and body, and the ethics of power and status differentiation within Roman culture. The book develops strategies for approaching the study of an ancient culture through sensitive critical readings of its literary productions.

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for Georgia Malden and Lucy Cresswell
inspiring partners-in-Classics

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Introduction

doce me, quid sit pudicitia et quantum in ea bonum, in corpore an
in animo posita sit

Teach me what *pudicitia* is, and how good it is, and whether it is
located in the body or in the soul.

(Seneca, *Letters to Lucilius* 88.8)

Sexual behaviour was a central ethical concern of Roman authors, whatever Foucault may have suggested.¹ The ethical problems of sex are treated at length, for instance, by two (rather different) didactic works of the late Republic, Lucretius' *De rerum natura* and Virgil's *Georgics*, both of which depict *amor* as a wild and destructive force.² For the early imperial moralist Valerius Maximus, *libido* (or lust) is one of the most dangerous vices, and he devotes one of his longest chapters (6.1) to the subject of sexual crime and sexual virtue (*pudicitia*).³ Granted there was no Latin term corresponding to the English word 'sexual': a cluster of terms such as *venus*, *amor*, *voluptas*, with their own semantic ramifications, referred to the phenomenon of sex.⁴ Neither was there a Latin word to convey our abstract notion of 'morality', although this English term is derived from the Latin *mores* which signifies both behaviour and codes of behaviour – custom or convention and then more generally ways of behaving, moral conduct, morality.⁵

¹ Foucault 1979, cf. 1985. Edwards 1993 shows how central the theme of sexual immorality was to political discourse in ancient Rome.

² Lucr. 4.1037–1191, Virg. *Georg.* 3.209–283. ³ See Chapter 3 below.

⁴ See Adams 1982: 118–213. Sexual activity is often referred to in the ancient sources as *venus*, *usum veneris*, *voluptates venereae*, *concubitus*.

⁵ Edwards 1993: 3–4 on the lack of an equivalent in ancient Rome of our 'immorality'. The word *mos* is often encountered in the phrase *mos maiorum* – 'the customs of our ancestors' – to refer to a way of life conducted in previous generations that embodies the morally upright, see Linke and Stemmler 2000. Unlike some scholars, I use the terms 'morality' and 'ethics' interchangeably to mean *both* values and codes of behaviour *and* critical engagement with these, believing the two to be inextricable; I also use them to denote not only the area of thought and behaviour dealing with right and wrong, good and bad, but also more generally that which pertains to conducting oneself and interpreting and structuring everyday experience.

A key ethical concept that did exist in Latin, however, was *pudicitia* (and its converse, *impudicitia*), loosely translatable as ‘sexual virtue’ (and ‘sexual vice’), together with the related adjectives *pudicus* and *impudicus*; such is the focus of this book. *Pudicitia* is not the only Latin concept pertaining to sexual virtue; there is a cluster of such terms in the Latin vocabulary of related and overlapping meaning: *castitas*, *sanctitas*, *abstinentia*, *continentia*, *verecundia*, *modestia*. Among them, however, *pudicitia* stands out in several ways:

- It has a more specific meaning than all the other terms, always referring to sexual behaviour, whereas the others have a broader semantic reach that can sometimes include reference to sex in some contexts, but also refers to religious purity and purity more generally, to consumption of food and drink and accumulation of wealth, and to the regulation of non-sexual relationships throughout society.⁶
- *Pudicitia* is the only one of these qualities consistently to win pride of place in political philosophy, and to appear alongside such qualities as justice, liberty, peace, dignity and temperance in Roman philosophical works.⁷
- It is a virtue which is explicitly said to ‘strengthen men and women alike’⁸ and this is an area of ethics where women play as substantial a role as men. Our sources therefore offer the sort of information about women’s engagement with the moral sphere usually lacking in Roman moral discourse. We are given a rare chance to compare the moral development of men and women, and to explore evidence for women as moral subjects (as opposed to objects of control) in parallel with that for men.
- *Pudicitia* was also a personified deity with her own cult worship (explored in Chapter 1 below).
- *Pudicitia* was a controversial and unsettled topic, provoking all kinds of deliberation about wide-ranging moral issues such as the differences between men and women, the relation between body and mind, and the ethics of power and status differentiation within society.
- Finally, *pudicitia* is a peculiarly Roman concept; there is no direct ancient Greek equivalent, in contrast to many Roman moral concepts, so it develops separately from the Greek philosophical tradition, although related to the Greek concepts of *sophrosyne* (self-control) and *aidos* (shame).⁹

⁶ See below, for definitions of and distinctions between these terms: *castitas* and *sanctitas* p. 30, *abstinentia* and *continentia* pp. 134–6, *verecundia*, *modestia* and *pudor* pp. 18–19.

⁷ See Chapter 6 below for Cicero and Sallust, pp. 281–4. Cf. Sen. *Clem.* 1.19; *Dial.* 4.13.2; *Epist.* 49.12; Apul. *Plat.* 2.1.

⁸ Val. Max. 6.1.praef.

⁹ For substantial monographs on these Greek concepts see Cairns 1993, North 1966.

Indeed, as we shall see in Chapters 1 and 2, it is at the heart of Roman ideas about the development of the city and culture and is described by some authors as a paradigmatically Roman quality.¹⁰

For all these reasons *pudicitia* is an intriguing topic that offers us an entry point of rich potential into Roman morality and culture. It is also peculiarly Roman in that there is no corresponding term in the English language; there is no ‘pudicity’ in our vocabulary. This is beneficial for us; it prevents us from falling into the trap of thinking that we already understand what the term signifies and what its nuances are.¹¹ *Pudicitia* is a concept that belongs to a different and distant culture and a different way of thinking about sex and about ethics. This book is an attempt to probe the term, to elucidate its nuances and ramifications, and through this exercise to cast light more generally on how Romans thought both about sex and about morality.

Despite the grip that Roman sexual morality has on the modern public imagination – which pictures orgies and decadence – it has not been accorded an important place in the recent history of Western sexual ethics.¹² Ancient Rome has not traditionally been thought of as a place of great thinkers, and histories of ethics usually skip straight from the Greek philosophers to the early Christian thinkers without reference to the Roman Republic and empire.¹³ Foucault famously skimmed over the Roman contributions in the third volume of his *History of Sexuality*, drawing instead on the later developments in Greek philosophy under the empire.¹⁴ However, the culture of ancient Rome was by no means devoid of ethical debate and education, as the following chapters will show. Moreover, discussions of the history of sexual ethics are very often focused on philosophical and theological texts and ideas, rather than more widely disseminated social issues; this book concentrates not on rarefied philosophical analyses of issues in sexual ethics, nor on systematic rules of conduct (such as those codified in

¹⁰ E.g. Ps. Quint. *Decl.* 3, see Chapter 5 below.

¹¹ In French, on the other hand, the word *pudique* is a direct derivation from *pudicus* and Nicole Böels-Janssen wisely cautions her Francophone readers not to be too eager to impose upon Latin terms our understanding of contemporary semantics (Böels-Janssen 1996: 57). In modern Italian too, *pudicizia*, though an old-fashioned term, is still in parlance; in the week in which I write this I came across a website of a woman’s magazine inviting me to complete an online quiz to discover whether I was ‘pudica o spudorata?’ (www.donneinlinea.it).

¹² Given the prevalence of Greek philosophy and early Christian thinkers in the modern tradition of sexual ethics, it may be historically significant that *pudicitia* had no ancient Greek equivalent, was not a liturgical term (although it is discussed at length in the work of the early Christian writer Tertullian) and has no modern English equivalent.

¹³ See especially Gaca 2003 for a recent example of a work on the history of Christian sexual ethics; also Primoratz 1999, Bordo 1993.

¹⁴ For a critique of Foucault’s use of classical material see Larmour, Miller and Platter 1998, especially Richlin 1998, Fredrick 2002b.

laws or philosophical systems), but on the debates taking place throughout society beyond the strict confines of the philosophical elite.¹⁵

The following seven chapters include discussions of a range of ancient Roman literary sources that offer us some kind of 'take' on *pudicitia*. Despite its prominence in Roman thought and society, *pudicitia* is not the most commonly used of Roman moral terms in the extant sources, and it is employed primarily only in certain Latin works, which form the foundation of my research: it is found in the plays of Plautus (and especially concentrated in the *Amphitryo*), but barely in those of his fellow writer of comedies Terence, in the elegiac poems of Propertius, but not in those of Tibullus, liberally in Cicero's public invective speeches, but not in his private correspondence, in Juvenal's satires, but not in the poetry of Horace or of Virgil.¹⁶ The chronological range of this study is from the second century BCE until the beginning of the second century CE, with some reference to later material where appropriate; this is a period from which most of the extant sources that deal with *pudicitia* date, and for which we have considerable historical context. My focus on a single term has led me to concentrate almost exclusively on the literary sources, and this book is a work of literary criticism, aiming to make valuable contributions to the study of the range of texts and genres that form my source material and to contribute towards the development of strategies for approaching the study of the culture of the ancient world through sensitive critical readings of its literary productions.¹⁷

The chapters of the book focus in turn upon individual sources or bodies of material, and this generic structure also reflects specific themes in the ancient deployments of *pudicitia*. None of the sources that I examine sets out to discourse abstractly on the topic of *pudicitia*;¹⁸ rather each applies the moral abstract to specific instances, to particular contexts, particular dilemmas, particular individuals and scenarios, with the result (intended or otherwise) of working through its ethical possibilities. What the extant corpus of Latin literature offers us is not a systematic exposition of what *pudicitia* meant, but an accumulation of specific instances of *pudicitia* put

¹⁵ Such culturally embedded debates were as much the context for the development of Christian thinking about sex and morality as the Greek philosophical schools that influenced the early theologians; this book therefore should be of interest to those studying the development of early Christian sexual ethics.

¹⁶ One question to ask of our corpus is whether there is any particular reason why some sources are more concerned with the quality than others.

¹⁷ Although I do make reference to instances of *pudicitia*'s depiction on coins and inscriptions (and believe that these merit further attention in the light of my analysis of the literary sources).

¹⁸ Although there must have been such texts in ancient Rome; cf. Aulus Gellius' reference to a disquisition on *pudicitia*, or Seneca's request to Lucilius (*Epist.* 88.8), see epigraph to this chapter, above.

to work, gathered from a heterogeneous Roman morality.¹⁹ As much as revealing Roman moral codes and prescribing modes of behaviour, these texts confront issues and embrace the uncertainty of *pudicitia*, provoking debate, deliberation and resistance.

WHY STUDY SEXUAL ETHICS, WHY STUDY CLASSICS?

Sexual ethics are a focus of concern throughout our own cultures, from popular media to academia; awareness of them permeates our relations with all other members of our communities. However, they are not a body of detachable concerns, but one whose ramifications spread throughout cultures. Anthropological approaches show that ‘sexuality is embedded in numerous other social relations’²⁰ – that pertinent to the understanding of ideological and ethical structures relating to sexual behaviour is an understanding of how they function within a culture more generally and interact with other moral fields. For this reason, as Jeffrey Weeks points out, ‘the study of sexuality . . . provides critical insight into the wider organisation of a culture’.²¹ Studying sexual ethics in ancient Rome therefore, embedded as they are in structures of power and status, politics, religion, rhetoric and other aspects of ancient Rome, will help us to understand better ancient Roman culture in general.

Pudicitia governs an individual’s sexuality and relationships with others and with society as a whole, and it also has profound implications for non-sexual behaviour. In Roman culture, virtue is something to be displayed and demonstrated to others through action, whereas sex is essentially an exclusive, private and often socially invisible practice. In addition, *pudicitia* is often about *not* participating in prohibited sexual activity. Hence the importance of non-sexual behaviour such as dress, gesture and the use of space and language, as a means of communicating this virtue, and also the strange tales of heroic deeds through which *pudicitia* is put to the test. Thus, the area of sexual morality provides us with a rare opportunity to examine the relationship between the public face of virtue in Roman society and the ethical development of the individual.

Meanwhile, contemporary philosophy acknowledges ‘the importance of knowledge of human diversity for ethics’ as a means of overcoming ethnocentricity and broadening ethical perspectives.²² The past is one useful

¹⁹ For the particular as opposed to the universal in ethics see Benhabib 1992.

²⁰ Caplan 1989: 16; cf. Ortner and Whitehead 1981: 24. ²¹ Weeks 2002: 32.

²² Shrage 1994, introduction: xii. See also Martha Nussbaum’s work on the moral significance of Classics for contemporary ethical philosophy: Nussbaum 2002, 1999.

source of coming to know of human diversity – history as a form of anthropology. As a recent work on the history of sexuality puts it: ‘one of the benefits of studying history is that it enables recognition of the strangeness of contemporary society’.²³ Moreover, the study of the classical past, of the ancient world, has attributes that make it a special, and a particularly useful, form of history: its age and its status.

First, it has a peculiar, long-standing, yet historically situated status as the origin of Western civilisation and Western philosophy. Contemporary scholarship on sex and ethics almost always makes reference to the ancient world. Yet such reference is often misguided and almost always without any mention of Rome at all – an allusion to Greek pederasty is followed by reference to Christian asceticism.²⁴ Secondly, the length of time that Classics has been seriously studied offers us an extremely rewarding vista. We can compare how source material has been differently studied by scholars from a whole range of different ages and contexts – something that is unusual in the history of sexuality. One of the things that Classics itself can add to the history of sexuality, then, is a sense of the differing methods and concerns that have led over the years to different interpretations of the culture and its material products.

Much has been written in recent years about sex and sexual ideology and morality in the ancient world. Scholarship has tended to focus almost exclusively on the male subject, and more specifically on the *desiring* male subject: that is the male as subject of erotic urges and experiences that are shaped by cultural forces.²⁵ Debates are often focused on the extent to which what we know as ‘homosexuality’ can be recognised in other cultures, and the field has sparked heated debates around the questions of essentialism.²⁶ Ancient sexual ideology has long been seen as operating around a ‘priapic’ model, where what matters is who penetrates whom with a penis (or occasionally an imitation penis).²⁷ Sexual intercourse is seen as penetration, which confers (social) power on the penetrator and detracts power from the one who is penetrated – the active–passive model. A particularly clear account of the ideological framework surrounding this idea is offered by Holt Parker, who presents the various sexual relations one

²³ Phillips and Reay 2002: 3; cf. their introduction, *passim*.

²⁴ E.g. Primoratz 1999 on Greek paedophilia, Bordo 1993 on ancient Greek and Christian attitudes towards the body. Foucault himself, of course, turned to the ancient world in his quest to understand the modern sexual self; on this point see also Fredrick 2002b.

²⁵ On women as desiring subjects see now Rabinowitz and Auanger 2002.

²⁶ Particularly articulate exponents and opponents are the American scholars Amy Richlin and David Halperin. See also Davidson 2001.

²⁷ See Housman 1931, Wiseman 1985, Williams 1999 for the Priapic model, and Davidson 2001.

might find in the form of a 'teratogenic grid'.²⁸ This analytical model is a useful tool for dismantling the modern concepts of homosexual and heterosexual as inevitable categories of persons, and the modern concepts of 'gender' and 'sexuality' as devices of historical analysis have been fruitfully applied to ancient Rome in recent years. For instance, Craig Williams has convincingly argued that, despite the title of his book, our 'homosexuality' would not be a meaningful concept for ancient Romans, who did not differentiate fundamentally between male and female sexual partners.

However, sexual morality is not and was not always about penetration, and moral agents are not and were not always phallic men. Although such systematic analyses help to structure our understanding of ancient cultures, they also obstruct our observation of further nuances of moral and emotional aspects of Roman experience. *Pudicitia* offers us a new route into studying ideologies of sex in Roman culture, one which allows us to move beyond the idea of penetration, of sex as necessarily phallic and involving activity and passivity (although these will inform our understanding too) and beyond the male desiring subject, to deal with women, children and even slaves as moral subjects. Foucault's study was avowedly of the ethics of a male elite. *Pudicitia*, on the other hand, was clearly a moral concern of men and women, slaves and free, children and adults. This book is therefore able to broaden the scope of ethical understanding by examining the moral development of a range of ethical subjects (although inevitably we are constrained by the provenance of our extant sources).

While this book in no way represents a systematic attempt to recover an account of female agency and subjectivity from our Roman sources (and certainly has no aspiration to reconstruct the lived experience of Roman women as ethical subjects), it is nevertheless concerned to listen to the considerable amount that our extant sources have to say about women's as well as men's moral subjectivity. In ancient Rome, women were portrayed not only as the objects of moralising discourse, but as subjects too; Roman ethics are more complex than just a 'male ethics' as envisaged by Foucault.²⁹ Although all the sources examined in this work are, as far as we know,

²⁸ Parker 1998a. See Martial 2.28 for a helpful ancient illustration, where the various possible sexual roles are set out in a crude epigram; the addressee Sextillus laughs at the accusation that he is a *cinaedus* (penetrated anally) and gives his accuser the finger, but Martial responds that Sextillus is not on the other hand a man who penetrates others, whether anally, vaginally or orally (*pedico, futuro, irrumator*), and that there are only two roles left for him, which are almost certainly intended to be understood as *cunnilingus* and *fellator* – he is orally penetrated by men and/or women. Cf. Williams 1999: 202.

²⁹ See Richlin 1998 for a feminist critique of Foucault's study of the ancient world.

written by men, they are, even so, products of a culture in which women functioned as moral agents and were engaged in ethical deliberation.³⁰ Even when Roman ideology strives hardest to be exclusively male, it cannot help but admit female subjectivity within its remit.³¹ Examination of the sources bearing in mind a female-identified as well as a male-identified reader brings out some new interpretative possibilities of the sources, as well as allowing us to see some of the moral positions available to Roman women, some of the material and ideas with which they might have shaped their moral selves. If we understand culture as exerting a 'direct grip' on bodies through *habitus*, and the body as the 'site of production of new modes of subjectivity',³² then a quality such as *pudicitia*, which moderates the relationship between mind and body, is a perfect place to look for the female subject.³³

In the Roman sources themselves, the figure of Lucretia, traditional paradigm of the virtue of *pudicitia*, is representative of the very same uncertainties and theoretical debates – about how texts should be read and how we should understand the (gendered) identity of the reader – that pre-occupy modern critics.³⁴ In some representations she becomes a figure of split subjectivity, mind divided from body, male from female. Some texts make her a cipher in the dealings of men, others flesh out her subjectivity and moral power; some make her a figure to be identified with by men, others by women, others invite us, with a juxtaposition of different reading positions, to think about the very differences and similarities in male and female morality.³⁵

Discussions of ancient source material are inevitably framed in terms of our own contemporary concerns, and it is right that they should be, since in this way they most helpfully contribute to modern debates.³⁶ I want to move beyond these, however, to examine more broadly how individuals in ancient Rome were invited to shape themselves, and their attitudes and actions, in response to encounters with the culture around them. The aim of this book is to gain some understanding of the issues that were critical for the Romans, at least as far as we can tell from the available sources. To this end this book takes as its starting point a Roman concept,

³⁰ For some theoretically informed discussion of reading and female subjectivity in Roman literature see Spentzou 2003 on Ovid's *Heroides*; cf. Younger 2002 on women as viewers of ancient sculpture.

³¹ Langlands 2004.

³² Bordo 1993: 302, n. 16; cf. Bourdieu's work on *habitus* (Bourdieu 1977, 1990).

³³ On female subjectivity see de Lauretis 1990.

³⁴ See Dixon 2002 for a recent attempt to summarise the impact of feminist theory on the discipline of Classics, and to indicate the areas of contention.

³⁵ See below Chapters 2 and 3. ³⁶ Nussbaum 2002, Davidson 2001.

puđicitia. In doing so, it obtains a certain freedom from contemporary preoccupations, since there is no equivalent for the term in the English language.

SEXUAL MORALITY OLD AND NEW

Whenever, over the past couple of years, I have mentioned to non-Classicists that I am writing a book about sexual morals in ancient Rome, I have been struck by the consistency of the response that I get. Almost invariably my interlocutor asks rhetorically and with a knowing smirk: ‘Did they have any?’ In the popular imagination Roman sexual practice is characterised by excess and depravity, unfettered by the prudery of subsequent eras. One thinks of orgies, of slave girls dangling grapes into the mouths of reclining men, of classy courtesans in transparent dresses, of insatiable empresses and the incestuous desires and perversions of emperors.

Such ideas are drawn from a variety of sources, not least Gibbon’s vivid depiction of Rome’s decline and fall, the Claudius novels of Robert Graves and their BBC television in the 1970s, films such as the Penthouse-produced *Caligula*, Fellini’s *Satyricon*, and Ridley Scott’s *Gladiator*³⁷ as well as from the descriptions found in widely read ancient Roman authors such as Suetonius and Juvenal, and the explicit images of sexual intercourse such as those found on the walls of buildings in Pompeii, now beginning to be displayed in museums around the world.³⁸

Consider, for example, Juvenal’s grotesque description of Messalina, the wife of the emperor Claudius,³⁹ prostituting herself in a brothel every night, yet unable to get sexual satisfaction:

. . . Hear what Claudius
Had to put up with. The minute she heard him snoring,
His wife – that whore-empress – who dared prefer the mattress
Of a stew to her couch in the Palace, called for her hooded
Night-cloak and hastened forth, alone or with a single
Maid to attend her. Then, her black hair hidden
Under an ash-blond wig, she would make straight for her brothel,
With its odour of stale warm bedclothes, its empty reserved cell.
Here she would strip off, showing her gilded nipples and
The belly that once housed a prince of the blood. Her doorsign

³⁷ On cinematic representations of Roman decadence and sexuality see Wyke 1997, Joshel, Malamud and McGuire 2001.

³⁸ Clarke 1998. The ‘Secret Museum’ has recently opened in the Museum of Naples.

³⁹ For Tacitus’ take on the couple, see Chapter 7 below, p. 359.

Bore a false name, Lysica, 'the Wolf-Girl'. A more than willing
 Partner, she took on all comers, for cash, without a break.
 Too soon, for her, the brothel-keeper dismissed
 His girls. She stayed till the end, always the last to go,
 Then trailed away sadly, still with a burning hard-on,
 Retiring exhausted, yet still far from satisfied, cheeks
 Begrimed with lamp-smoke, filthy, carrying home
 To her imperial couch the stink of the whorehouse.⁴⁰

Or here is the biographer Suetonius, describing the sexual and theatrical perversions of the notoriously depraved emperor Nero:

Nero practised every kind of obscenity, and after defiling almost every part of his body finally invented a novel game: he was released from a cage dressed in the skins of wild animals, and attacked the private parts of men and women who stood bound to the stakes. After working up sufficient excitement by this means he was despatched – shall we say? – by his freedman Doryphorus.⁴¹

The next response of my interlocutor, informed by such images, is usually one of somewhat prurient interest in my research topic, which I am reluctant to disappoint with a book that in fact will not turn out to be the description of unremitting debauchery that some might expect.

One thing is certain: the Romans were concerned about sexual morality. The passages from Juvenal and Suetonius cited above are not evidence of a lack of moral structures in Roman society; far from it: they speak of deep concerns about the right and wrong ways to conduct oneself sexually.⁴² They are not providing us with neutral descriptions, but serve as moralising texts which inveigh against or deplore the practices they describe. Even the most sexually explicit Roman texts, which appear to invite the ascription of licentiousness (perhaps Ovid's *Arts of Love* or Petronius' *Satyricon*), are engaged in thinking through the ethics of sexual behaviour, and they work with categories of good and bad, of pure and defiled, of ideal and transgression.⁴³

However, this book also focuses on very different stories, sometimes equally dramatic, which provide a counterpoise to this image of licence and sensuality; these evoke a Rome perhaps more reminiscent of other times and other cultures.⁴⁴ Take for instance these accounts of husbands'

⁴⁰ Juv. 6. 115–32, translation from Oxford World Classics edition by Niall Rudd 1991.

⁴¹ Suet. *Nero* 29, quotation from the Penguin edition (tr. by Robert Graves 1957, revised by Michael Grant 1979).

⁴² And, as we shall see, represent a particular take on sexual morality located in a specific imperial era; see below Chapters 1, 4 and 7.

⁴³ This point also made by Edwards 1993: 19. On Petronius see Chapter 4 below, pp. 227–31.

⁴⁴ For parallel phenomena in modern Sri Lanka see de Silva 2002, where the Sinhala quality she discusses bears a close resemblance to *pudicitia*; on contemporary India see John and Nair 1998.

treatment of their wives, taken from Valerius Maximus' compilation of morally improving anecdotes:⁴⁵

Egnatius Mecennius beat his wife to death with a club because she had drunk some wine, and not only was there no one who would prosecute him for this act, no one would even criticise it. They all believed that by paying the price for violating Sobriety, she had set an excellent example. And indeed whenever a woman does seek to drink wine without moderation, she closes the door to every virtue and opens it to every crime.

Terrifying too was the conjugal disapproval of C. Sulpicius Galus: he repudiated his wife because he found out that she had gone outside with her head uncovered – a snap decision, but not unreasonable. 'The law prescribes' he told her, 'that you may offer your beauty only to my eyes. For them bring out the instruments of adornment, for them be gorgeous, trust yourself to their more intimate acquaintance, any further sight of you is the result of unnecessary provocation and inevitably arouses suspicion and accusation.'⁴⁶

This first-century Roman moralist cites approvingly stories about a man who bludgeons his wife to death when he discovers she has been drinking wine and another stern husband who divorces his wife when he finds out that she has been out in public without covering her face with a veil, considering that her beauty ought to be seen by his eyes only. These attitudes are far from a dissolute world of Roman orgies. They are represented by Valerius Maximus as singularly harsh punishments for relatively slight infractions, yet the moral attitudes that the husband's actions enshrine seem very much to the author's taste.

Yet the same stern moralist, not much later in this work, expresses amusement and then sympathy at the fate of two men who happen to die while they are in the middle of having sex with children:

The death of these next men is hilarious. The ex-praetor Cornelius Gallus and the Roman knight T. Heterieius both lost their lives during sex with boys. Nevertheless what is gained from mocking their deaths? It was not their lust, but the law of human fragility, that carried them off. For the end of our life is vulnerable to a variety of hidden causes, and sometimes death is wrongly attributed to factors that coincide with the moment of death rather than hastening it.⁴⁷

The severity of the earlier tales does not sit easily, for the modern reader, with the relaxed amusement expressed towards men having sexual intercourse with boys.⁴⁸ Today this activity would be labelled 'paedophilia' – a

⁴⁵ For more on this text see below Chapter 3 *passim*.

⁴⁶ Val. Max. 6.3.9–10. ⁴⁷ Val. Max. 9.12.8.

⁴⁸ *Pueri* can mean male slaves as well as male children, and perhaps we should take this story as relating to sexual relations with slaves, given Valerius' attitude; however, *puerilis venus*, the activity in which they are involved when they die, must be taken to mean that their partners are in childhood, whatever their status.

concept that is very much a focus of moral energies in the modern West. The perpetrators would not only be breaking the law and liable to severe penalties (but for their timely deaths), they would also be vilified by many members of society and viewed as morally abject, the lowest of the low. In public at least, humour and sex with children are an uncomfortable mix.⁴⁹

It is not that it is unimaginable that someone might find the story of a man who died in the middle of having sex with a child funny today – it is certainly a plausible scenario. However, it is, I think, somewhat unexpected to find that the ancient Roman (text) expressing amusement is the very same one expressing elsewhere solemn approval for the exceedingly austere treatment of wives. The two look to a modern eye as if they belong to very different moral outlooks, yet they are found in the same Roman work. It is quite possible, of course, that an author contradict himself, even within one text, but here I think the apparent internal inconsistency is partly a result of what happens when ancient texts are viewed in the light of our own modern preconceptions about sexual morality. In contrast to those of the modern West, the ethical structures of Roman society permitted one to find both a husband's control of a wife's behaviour a matter of intense importance and at the same time sex with boys of little concern.⁵⁰

In an ancient parallel, the first-century ethnographer Pomponius Mela describes the sexual customs of the primitive tribe of the Gamphasantes in the Roman terms of *pudicitia* and *stuprum* that render them bafflingly paradoxical:

feminis eorum sollemne est nocte qua nubunt omnium stupro patere qui cum munere advenerint, et tum cum plurimis concubuisse maximum decus, in reliquum pudicitia insignis est.

For their women there is a ritual on the night on which they marry where they lay themselves open to *stuprum* with everyone who comes with payment, and at the time to have had sex with many men is the highest honour, while for the rest of their lives their *pudicitia* is outstanding (Pompon. 1.46.5).⁵¹

⁴⁹ Indeed they may be an explosive combination: see for instance the public outcry over Channel 4's showing of Chris Morris' *Brasseye* programme *Paedophilia* on 26 July 2001, which satirises precisely the public and media hysteria about paedophilia that it subsequently brought down upon itself. At the time the NSPCC released a statement in response to the programme saying: 'The crimes committed by paedophiles against children and young people are among the most abhorrent in the criminal justice system. They are not a laughing matter and have no place in satire.'

⁵⁰ One of the arguments of Williams 1999 is that 'adultery . . . gave rise to a higher level of cultural anxiety than did pederasty' (97), see especially 113–24. My juxtaposition of passages would seem most emphatically to support this statement.

⁵¹ For the language of this passage, particularly the terms *decus* (honour) and *insignis* (outstanding, but with a visual sense) see Chapter 1 below. For *stuprum* and *pudicitia* see below, pp. 20–4.

In Roman sexual morality, for a woman to have sex with multiple partners and to accept payment for prostituting her body, let alone on the very night of her wedding to another man, was entirely incompatible with *pudicitia*, and Pomponius is having a bit of fun asking his readers to boggle their mind by trying to envisage a faraway world in which this might not be.

Ancient Roman concerns about sex may be shown to differ from those of today,⁵² but neither theirs, nor those of any of our contemporary cultures, are monolithic. We should not be tempted by our distance from ancient Rome, and the fragmentary nature of our source material, to impose upon ancient Roman morality the unity that we should really like to impose on our own culture, which seems to us so complex because we are in it struggling as moral agents, surrounded by all the profusion of discourses and all the material of text, image, conversation, sound and space through which discourses are produced. A recent book about sexuality in the twentieth century is subtitled ‘Sexual Values in an Age of Uncertainty’⁵³ and argues that sexual values are confusing in a changing multicultural society. But has there ever been any age that was an age of Sexual Certainty? – except in the past, as Nietzsche’s ironic comment suggests.⁵⁴ There is a tendency to want to believe that an earlier age was simpler and that moral uncertainty comes with the glorious confusion of the ‘complex’ and nuanced society – ‘our’ society.⁵⁵ The Romans were just as susceptible as we are to this lure of the past as an exemplary world when people knew right from wrong and were prepared to act accordingly without hesitation. Indeed this cultural nostalgia was one of the key features of Roman ethics, as we shall see.

In the introduction to a recent work about sexual ethics and philosophy in the ancient world, the editors write of the importance of remembering that the philosopher is a ‘strange outsider’ in a culture, and we should not listen to what philosophers say expecting to hear the normative voice of a culture.⁵⁶ This caution is salutary. Yet what kind of voice is there in a culture that is not in some way or to some people that of a strange outsider? And in any case, in order to criticise or comment on her own society, an individual must stand slightly apart from it. A moment’s reflection upon our own cultures shows

⁵² Compare Clarke 1998: 1 on erotic Roman art: ‘almost *nothing* about them fits into our late twentieth century conceptions about sex’.

⁵³ Weeks 1995.

⁵⁴ Nietzsche *Beyond Good and Evil*, tr. Nietzsche 1990, 214, cited at the head of Chapter 3 below. For corresponding (ironic problematisation of) Roman idealisation of pristine morality, see Chapter 2 pp. 78–80 and Chapter 3 pp. 131–2.

⁵⁵ The ‘penetrator–penetrated’ binary model of ancient sexuality, highly influential on contemporary scholarship, seems to provide just such a level of certainty as we require from the past.

⁵⁶ Nussbaum and Sihvola 2002: 10.

us that there can be no such thing as a single normative voice, but always many voices speaking out their own ways that things should be: within societies as a whole, within sub-sections of society, within individuals.⁵⁷

Ancient Romans too lived in eras of Sexual Uncertainty, as a result of cultural, social and moral diversity and flexibility, and we are fortunate that we have enough of a range of source material to be able to appreciate this when it comes to Roman culture. The picture of *pudicitia* that emerges from this study is not a consistent one, and we shall find that it means very different things to different people and in different contexts.

One tends to acknowledge readily the bewildering complexity of one's own cultures, or even of one's own self. Indeed, if called on to characterise the sexual ethics of one's own society, one would be hard pressed to come to any confident description, but would tend to focus rather on a series of conflicts, issues and problems, debates over how and where lines should be drawn, or how best to deal with problems that arise. We would point out the din of contradictions and contestations surrounding controversial issues. A recent book about contemporary sexual ethics in the West organises its material around the major issues in sexual morality, identified as follows: monogamy, adultery, prostitution, homosexuality, paedophilia, sexual harassment, rape (and pornography, which is, somewhat oddly, omitted for reasons of space).⁵⁸ Within Western societies there are live and developing controversies about all these areas of ethics, and we are well aware of the diversity of material, the scholarly areas of focus, the key topics of media attention and general anxiety – especially, in the current climate, paedophilia. In Britain, for instance (and to take a small sliver of cultural activity, the legal sphere), there have been many changes in the law relating to sexuality over the last hundred years, which reflect shifting attitudes and focuses of debate and concern. In such a culture there are many different voices clamouring to be heard and to assert themselves as dominant.

The moral self – the acquisition of and reflection upon one's ethical outlook as well as a sense of oneself as operating ethically in a wider cultural context – is shaped in dialogue, both conscious and unconscious, with the world around one. Part of Foucault's project in the *History of Sexuality* was to historicise the 'self' and to trace its roots in ancient cultures, with particular reference to development in sexual identity. Several scholars have perceived

⁵⁷ 'We modern men are determined by *differing* moralities . . . there are cases enough where we perform *many-coloured actions*' (Nietzsche *Beyond Good and Evil*, 215, tr. Nietzsche 1990).

⁵⁸ Primoratz 1999, introduction. For comparative lists of contemporary issues see also Shrage 1994, Jordan 2002.

a transformation in the idea of the self over the period of the late Republic and early empire, where there is an internalisation of moral regulation, perhaps in response to political changes.⁵⁹ The ethical deliberations that our sources focus on the concept of *pudicitia* will certainly demonstrate that the relationship between an individual's moral development and the external mechanisms of social regulation was of acute concern to the ancient Romans; how far these concerns are indicative of actual shifts in the central conception of the self is harder to ascertain.

The story of how I (or any individual) came to be the person that I am at any particular moment in these broad moral terms would be impossible to tell. However, we can and do tell plausible stories about isolated interactions, whether with persons or other media, and their effect upon us and our relations with the society we live in. For example, a mainstream non-academic book has recently been published in which a journalist describes how watching films in the cinema helped him to negotiate such tricky experiences as his first kiss.⁶⁰ This is self-conscious reflection (itself a studied performance of self-representation) upon the author's engagement with particular products of the twentieth-century medium of cinema. Films are shown to shape the boy's ideas of how things might or should be done, to shape his sense of himself in relation to the world, and ultimately to influence his own behaviour. Like those provided by the sources examined in this book, the informal 'education' portrayed by this memoir is not philosophical, nor is it exclusively or even primarily concerned with right and wrong in a purely moral sense.

Walsh's book represents one story about media and morality, and although it may tell us something about the individual who wrote it and his ethical experience, it absolutely cannot be the whole story of his ethical development. It may also tell us something about the ethical potential of the particular films with which he engages, or of the medium of film. However, most pertinently the book tells us – through a single, more or less representative case-study – something about the role that an artistic medium such as film can today be seen to play in the ethical development of the individual. There will be many such influences upon any individual in today's societies: the example and admonition of parents, aspects of formal education, interaction with peers, structures of the state, profusion of images and stories and ideas from all kinds of media – newspapers, magazines, novels, films, television. Much of this is self-consciously ethically engaged – for instance,

⁵⁹ Fear 2000; Edwards 1993, esp. 27, 56–7; Veigne 1988; Foucault 1985 and 1986. On the history of the self see Porter 1997, Taylor 1989.

⁶⁰ Walsh 2003.

British soap operas tackle the issues of the day; magazines targeted at young people deal with the anxieties of adolescence; school sex education grapples with the problems of preparing children for the adult life that lies ahead; laws attempt to lay down firm boundaries about what behaviour is or is not acceptable. Other cultural forms may be less explicit about their moral intentions, or may claim to have none and represent themselves as, say, pure entertainment; yet nonetheless every cultural product is underpinned by a (more or less instructive) moral framework.

Both laying down rules and telling pointed stories have their ethical force, but there is no inevitability about their effect. One's response to the dictates of figures or bodies of authority (such as parents, teachers, the state, religious leaders or great thinkers) will depend not merely upon the nature of that authority but on one's attitude to and relationship with authority and authority figures. In addition, the ways that media encode moral principles and moral issues are manifold and complex, and often juxtaposing two cultural products, or interpreting a text in the light of its cultural background, can be very rewarding.

The profusion of media with which every individual today comes into contact informs and guides and confirms and challenges and threatens his or her moral outlook (hence concerns about such issues as pornography and sex education). The Romans, too, told stories about how the various media of the ancient world affected a person's moral development – particularly in youth, or if the person was, in ancient terms, weak-minded (say a woman, or a member of the masses). Following in the Platonic tradition, Cicero writes of the immense power of music and song to influence young and susceptible minds for better or worse. Old-fashioned music had a 'delicious severity' that made listeners straight-backed and dignified; modern music makes them sway, dissolving posture and moral backbone alike.⁶¹ The geographer Strabo (a Greek writing as a subject of Roman rule in the first century BCE) writes about the claims of poets and musicians to inculcate moral discipline, and also of the effects of listening to and reading fables (fictional stories), participating in religious practice, or viewing paintings and sculptures, upon the moral development – in particular of children, women and the illiterate or semi-literate, among whom reason cannot be used as an efficacious tool of moral education.⁶² Polybius, a Greek commentator upon Roman culture in the second century BCE, was especially impressed by the institution of the aristocratic funeral (at which the deeds of the dead man and those of all his illustrious male relatives were related)

⁶¹ Cic. *Leg.* 2.39: *iucunda severitas*; cf. Gleason 1995: 108.

⁶² Str. 1.2.3, 1.2.8.

and the inspirational effect of this on the spectators.⁶³ The inspirational moral role of the *imagines*, masks of the ancestors that adorned the walls of the aristocratic Roman hall, is documented by many authors, as is that of the narration of heroic deeds.⁶⁴

Other media are excoriated by some, on the other hand, for their perceived debilitating effects upon morals. Popular theatrical performance comes under particular attack,⁶⁵ and the emperor Tiberius expelled actors from Italy.⁶⁶ Lactantius writes of the immoral influence of mimes, Cicero suggests that comedy encourages the enjoyment of immoral acts.⁶⁷ Meanwhile Propertius writes of explicit paintings of sexual intercourse leading girls astray (2.6).⁶⁸ Famously, Ovid's *apologia* from exile, when his own poetry is accused of promoting immorality, points out a whole range of popular genres that *might* be similarly accused.⁶⁹

The above is not a systematic survey of Roman attitudes towards relations between ethical development and the engagement with verbal, visual or performative texts produced by their culture. However, this brief selection of sources does suggest in various ways that Romans saw the moral outlook of an individual as susceptible to external influence of art, ritual, literature and music. As far as one may generalise, an individual Roman's ethics were felt to be moulded by exposure to and interaction (of a more or less critical, more or less intellectual, more or less reflective kind) with all these media. This was felt to be especially the case for those individuals less amenable to the guidance of reason and philosophy.

THE ROMAN MORAL UNIVERSE

The *mores* of those who lived in Rome were guided and inculcated and regulated in a variety of interlocking ways. In the following pages I shall further expand upon certain key and interrelated elements of Roman society which must have underpinned the moral outlook of any Roman: the moralising gaze of the community, the regulatory experience of *pudor*, the laws, the omnipresent gods, and the exemplary tradition.

⁶³ Plb. 6.53–5. ⁶⁴ Val. Max. 5.8.3; Sal. *Iug.* 4.5–6; see Flower 1996.

⁶⁵ Polybius 6.56.8 describes tragedy as a means of controlling the people; Tertullian's description of the theatre makes it the antithesis of *pudicitia*: *privatim consistorium impudicitiae* ('[the theatre] is the particular dwelling place of *impudicitia*', *de Spect.* 17), though of course this is a Christian perspective.

⁶⁶ Tac. *Ann.* 4.14.3. See Edwards 1993: 128–9.

⁶⁷ Cic. *Tusc.* 4.68; Lact. *Div. Inst.* 6.20.

⁶⁸ See further Chapter 4 below, pp. 53–5. For a modern discussion of what kind of medium such paintings might be and how they might have been 'read' by (a range of) ancient viewers see Clarke 1998.

⁶⁹ Ov. *Trist.* 2.

One feature of Roman societal structures (during the Republic) was the figure of the *censor* – an official magistrate whose role included acting as guardian of the morals of his fellow citizens.⁷⁰ Cicero describes the *censor* as a man responsible not only for compiling the census and for enrolling men in the army, but for overseeing and regulating the lifestyle and morals of Romans: ‘they shall prohibit celibacy, regulate the morals of the people, make sure no disgrace remains in the senate’.⁷¹ The *censor* is the externalised embodiment of the internal regulatory force of *pudor*, and conversely Dionysius of Halicarnassus comments that Romans behave in their own home as if the *censor* were watching them there too (20.13.2–3)⁷² – like an omniscient god, encouraging the internalisation of community values and strictures.

The concepts of *fama* and *infamia* were also important cultural tools for the regulation of good behaviour. *Infamia* was the formal loss of good reputation (*fama*).⁷³ It could be a consequence of conviction for certain types of crime, and had legal implications – the loss of reputation through shameful behaviour meant a legal stigma that deprived citizens of many of their legal privileges.⁷⁴ Public behaviour was expected to be monitored by the moralising gaze of the community, and each individual to act in such a way that their *fama* was not tarnished.⁷⁵ *Infamia* might also, more informally, arise from the disgrace incurred by the crime itself, again representing an internalisation of externally imposed rules.⁷⁶

Fear of disgrace or diminution in the eyes of the community was clearly an important force for the regulation of behaviour in ancient Rome.⁷⁷ Reinforcing the strictures enshrined in Roman laws, there was the concept of *pudor* – a sense of shame and socio-ethical discomfort stemming from an awareness of oneself as the constant focus of the moralising gaze of the community, which placed constraints upon the behaviour of an individual.⁷⁸ In a recent work, Robert Kaster gives an extensive, systematic and nuanced analysis of *pudor* – in the context of his study (which focuses on emotion in Roman culture) conceived of primarily as an emotion that shapes ethical behaviour, ‘experienced as fear and discomfort’.⁷⁹ It is intimately connected

⁷⁰ Astin 1988. ⁷¹ Cic. *Leg.* 3.7. ⁷² Cf. Plut. *Cato Maior* 16.1–2 cited in Edwards 1993: 30.

⁷³ *Dig.* 3.2. ⁷⁴ See Edwards 1998: 69–76, Gardner 1993: 110–54.

⁷⁵ Some people have no *fama*, and these tend to coincide with those who are not protected by laws against *stuprum*, such as slaves, prostitutes and actors (see Edwards 1998).

⁷⁶ Cicero meditates whether a man can be considered truly virtuous if he is prevented from doing wrong by fear of disgrace (Cic. *Leg.* 1.50–1).

⁷⁷ For ‘shame’ and social regulation see Kaster 2005: 48 n. 1.

⁷⁸ For an extensive discussion of *pudor* as a regulatory emotion in Roman culture see Kaster 2005.

⁷⁹ Kaster 2005: 48; cf. Barton 2002 on *pudor* and the gaze.

with the physical blush (*rubor*) that can act as the inadvertent signal to others of an individual's moral awareness,⁸⁰ and is also embodied in other physical signs such as averted or downcast eyes or silence, which are also described as the embodiment of *pudicitia*.⁸¹ Kaster analyses the way that *pudor* functions to regulate relations between members of society in terms of a range of social 'scripts'⁸² that do not represent a rigid behavioural code, but allow *pudor* to be a 'dynamic organising energy accomplish[ing] different forms of psychological and ethical work in the culture'.⁸³ His analysis elaborates the relations of *pudor* with *dignitas* (sense of self-worth within the community) and *existimatio* (standing in the eyes of others); an important aspect of *pudor* that emerges from his study is that there is nothing abstract or impersonal about the quality: it is always securely embedded in specific social relations of many kinds. Within the multifaceted hierarchical structures of Roman society, *pudor* is fluid and nuanced, renegotiated by every individual encounter, just as identity is bound up with social status, position and relation and is a fluid and impermanent property of a Roman individual. The related qualities of *pudor*, *pudicitia* and *verecundia* all help 'to shape the art of knowing your place in every social transaction'.⁸⁴

Pudor is very closely conceptually related to *pudicitia*; the latter term is derived from the former, but *pudicitia* has a more restricted field of operation: that of sexual relations rather than social relations more generally.⁸⁵ *Pudicitia* is also, as we shall see, possessed of a more problematic corporeality than *pudor*, and is not primarily experienced as an emotion – often not even as a moral sensation.⁸⁶ Other important Roman moral concepts associated with shame and blushing and the awareness and maintenance of socially appropriate behaviour are *verecundia* and *modestia*.⁸⁷ These two are often closely associated with *pudicitia* and we shall see that they occur often in the texts that deal with sexual morality examined in this work, but both, like *pudor*, relate to a wider range of social relations.⁸⁸

Roman society also regulated the behaviour of those who lived within it through a formal legal system: laws, trials and penalties. These were

⁸⁰ On blush and *pudor* see Kaster 2005: 54 and Barton 1999. See Cairns 1993 for a study of comparative phenomena in ancient Greek culture and some discussion of modern issues.

⁸¹ See below, p. 72. ⁸² See Kaster 2005, Chapter 2. ⁸³ Ibid.: 89.

⁸⁴ Ibid.: 23. ⁸⁵ See Kaster 1997. ⁸⁶ See below, pp. 22–3.

⁸⁷ On constant self-monitoring as embodied in the blush in Roman culture see Kaster 2005: 29–37 with references.

⁸⁸ For a full discussion of *verecundia* see Kaster 2005, Chapter 1, and also Chapter 2: 111–16, where he distinguishes between *pudor* and *verecundia*: *verecundia* is always the behaviour of an individual in a social transaction with another where the behaviour is the responsibility of that individual and it relates to a person's evaluation by another; *pudor* tends to be concerned with an individual's own sense of themselves as socially devalued.

conveyed through laws passed by popular assembly (*leges*), praetorian edicts, senatorial decrees, or, increasingly under the empire, imperial *constitutio*. Our evidence for Roman law comes primarily from Digests compiled in the sixth century CE which extensively cite and comment on ancient laws but do not offer us much sense of the historical development of the legal system nor how the laws might have been interpreted or implemented within the context of Roman society. We must use these compendia with caution as evidence for the legal situation of our own period of focus.⁸⁹

It is not clear from the extant sources precisely what the legal situation for the punishment of sexual transgression was under the Republic, although it is fairly clear that the behaviour that was held to be unacceptable focused on the adulteration of freeborn citizens, and particularly other men's wives.⁹⁰ A body of laws governing every aspect of behaviour, known as the Twelve Tables, are said to have been laid down early on in the history of the city; there is some indication that sexual activity was also regulated in a more informal domestic setting, with the husband permitted to kill his wife if he found her with an adulterer, and fathers likewise having the right to kill the (adult) children under their power in similar situations.⁹¹ The Julian law on adultery (*Lex Iulia de adulteriis*) was passed in around 18 CE as part of moral reform during the rule of Augustus.⁹² The law made provision for the punishment of transgressive sex (usually *stuprum*, sometimes called *adulterium*) involving a man having sex with any freeborn Roman (except his own wife), especially married women, but also unmarried women, widows and male and female children.⁹³ It punished not only those who perpetrated *stuprum* on a free body, but also those who abetted such an act. A father who was *paterfamilias* could kill a married daughter and her lover if he found them under his own roof; a husband could kill the lover provided he was of a low social status. As Edwards points out, the law shores up the claims of social hierarchy.⁹⁴ It makes a distinction between the people whose sexual integrity (often denoted by the term *pudicitia*) is being protected and avenged (women and children, sections of the free population who are also subject to the legal protection and control of a guardian), and those whose role is to ensure the protection and vengeance: the adult male

⁸⁹ Cf. Edwards 1993: 37 on the difficulties of using these texts as source material.

⁹⁰ For an extensive discussion of laws pertaining to sexuality during the Republic see Fantham 1991.

⁹¹ Fantham 1991, Harris 1986. ⁹² Most of the evidence for this law comes from *Dig.* 48.5.

⁹³ On the provisions of the law and the difficulties of interpreting the sources see Edwards 1993: 37–42, Richlin 1992a, Appendix, Gardner 1986 and Treggiari 1991: 275–98, McGinn 1998, Dixon 1992: 71–83.

⁹⁴ Edwards 1993: 53.

paterfamilias ('head of household' – another legally delineated position), whether as husband or father.

Under this law a husband has a particular right (and responsibility) to prosecute his own wife for adultery, as does the woman's father, though the husband is usually preferred. The husband has sixty days in which to prosecute before the right becomes accessible to others. There is some uncertainty as to whether a husband who failed to prosecute an adulterous wife (within a certain timeframe) was himself liable to prosecution for pandering (*lenocinium*), but it is clear that the law intended to exert pressure upon husbands to regulate the sexual activity of their wives.⁹⁵

From Justinian's codex *pudicitia* emerges as a key legal term, employed particularly in sections 47 and 48 to denote the sexual integrity of free Romans which must be protected by law against the transgressive sexual intercourse (*stuprum*) that would damage or destroy it.⁹⁶ The Digests show us praetorian edicts pertaining to sexual transgression, such as that prohibiting anyone from approaching a married woman with the apparent intent to assault her *pudicitia*. In these instances the commentary upon the law is attempting to resolve some troubling ambiguity or difficulty with the law itself. Here are some attempts to pin down the legal significance of the term. First, assault on *pudicitia* falls under the general umbrella of 'injury', something inflicted on someone unlawfully:

omnemque iniuriam aut in corpus inferri aut ad dignitatem aut ad infamiam pertinere: in corpus fit, cum quis pulsatur: ad dignitatem, cum comes matronae abducitur: ad infamiam, cum pudicitia adtemptatur.

Every injury either attacks the body or affects the social standing (*dignitas*) or the *infamia* (reputation). It relates to the body, when, for instance, someone is beaten, to the standing, when, for instance, a woman's chaperone is taken away, to *infamia*, when, for instance, *pudicitia* is assaulted (*Dig.* 47.10.1.2).

An assault upon *pudicitia* is judged to be one that transforms the victim's status from *pudicus* to *impudicus*, and thus has implications not merely of wrongdoing, but of moral corruption:

si quis tam feminam quam masculum, sive ingenuos sive libertinos, inpudicos facere adtemptavit, iniuriarum tenebitur. sed et si servi pudicitia adtemptata sit, iniuriarum locum habet. Paulus libro quinquagesimo quinto ad edictum. adtemptari pudicitia dicitur, cum id agitur, ut ex pudico inpudicus fiat.

⁹⁵ See Edwards 1993: 47 for the suggestion that one message of the legislation was that husbands were to blame for their wives' infidelity. Cf. *Dig.* 48.5.40.pr.3.

⁹⁶ For a helpful introduction to the (untranslatable) concept of *stuprum*, see Williams 1999: 96–124; cf. Gardner 1986: 121–5.

If someone assaults a woman or equally a man, either freeborn or freed,⁹⁷ so as to render them *impudicos*, he will be liable to be prosecuted for ‘injury’ (*iniuria*). And if the *pudicitia* of a slave has been assaulted, this too is an injury. Paul in his fifty-fifth book commented on this edict: it is said to be assaulting *pudicitia* when it is done in order to make a *pudicus* person *impudicus* (*Dig.* 47.10.9.4–10).

The first sentence specifies freedom as a condition for the *pudicitia* that the law aims to protect, and we shall see that free status is very closely associated with *pudicitia* in Roman thought. Consider the resounding *sententia* found in Seneca: ‘*impudicitia* is a crime in a freeborn person, a necessity for a slave, and a duty for a freed person’ (*impudicitia in ingenuo crimen est, in servo necessitas, in liberto officium, Contr.* 4.praef.10). Yet the afterthought of the edict above suggests that a slave too has this quality of potential vulnerability, and that the matter is therefore open to debate.⁹⁸ In other words, your relationship to *pudicitia* varies according to your relations with other people and the extent to which you have possession of your own body. A free individual has a responsibility towards his or her own body, so that to allow someone else to use it is utterly inappropriate, a slave is merely an instrument of the master’s needs; in the Senecan formulation, the third category, of the freed person, is the most telling: since they owe their freedom to a master, and are to a certain extent bonded to him, they ought to allow him access to their bodies, but it is not a requirement.⁹⁹

The law also deals with the difficulty of ascertaining precisely where *pudicitia* lies in the individual and when and by what kinds of assault it can be considered to be damaged. It is clear that although it pertains to physical integrity, it is also bound up with the moral standing of the person and with his or her public reputation, and that actions that seem likely to damage either of these more intangible attributes are also subject to punishment:

appellare est blanda oratione alterius pudicitiam adtemptare: hoc enim non est convicium, sed adversus bonos mores adtemptare. qui turpibus verbis utitur, non temptat pudicitiam, sed iniuriarum tenetur. aliud est appellare, aliud adsectari: appellat enim, qui sermone pudicitiam adtemptat, adsectatur, qui tacitus frequenter sequitur: adsiduo enim frequentia quasi praebet nonnullam infamiam.

‘To proposition’ (*appellare*) is to make an assault on someone’s *pudicitia* with flattery; this is not to insult, but to make an assault against someone’s good morals. One who uses dirty language is not making an assault on *pudicitia* but will be

⁹⁷ I.e. a former slave who has been manumitted.

⁹⁸ Cf. *Dig.* 1.6.2.pr.2 on a master forcing his male slaves into *impudicitia*. See also Walters 1998 on ambiguous social status and its relation to protection from sexual abuse in Roman ideology.

⁹⁹ On this *sententia* with brief context see Joshel 1992b: 30–1.

liable to prosecution for injury. ‘Propositioning’ is one thing, ‘stalking’ (*adsec-tari*) is another; someone who propositions, assaults *pudicitia* with conversation, someone who stalks, follows persistently without saying anything: for his constant attendance is bound to provoke some *infamia* (*Dig.* 47.10.15.20–2);

qui puero stuprum abducto ab eo vel corrupto comite persuaserit aut mulierem puellamve interpellaverit quidve impudicitiae gratia fecerit, donum praeberit pretiumve, quo is persuadeat, dederit: perfecto flagitio punitur capite, imperfecto in insulam deportatur: corrupti comites summo supplicio adficiuntur.

Whoever persuades a boy to commit *stuprum* by removing from him, or corrupting, his chaperone, or propositions a woman or a girl or does anything on behalf of *impudicitia*, or offers a gift or gives money in order to persuade her: if the offence is carried out he shall suffer capital punishment, if it has not been carried out he shall be deported to an island; chaperones who have been corrupted are liable to the highest punishment (*Dig.* 47.11.1.2).¹⁰⁰

These edicts depict *pudicitia* as residing in the bodies of those freeborn members of society who do not have the status of *paterfamilias*, are therefore in the legal power of someone else, and are depicted as vulnerable to the lusts and assaults of men. Women and children need responsible and incorruptible companions to protect them from the unscrupulous advances of those who wish to have illicit sexual intercourse with them, using the persuasive instruments of flattery, bribery or force. Such vulnerable members of society are in possession of the quality of *pudicitia*, and are liable to assault from strange men who will damage it. However, as the web of commentary suggests, it is not just transgressive sex itself that will damage *pudicitia*, and for which the laws set out punishment, but all behaviour that might pave the way to such sex, and it is not only the body that is vulnerable to assault, but the social standing and reputation of the assaulted.¹⁰¹

Although thus far the people who have *pudicitia* have been regarded primarily as the objects of others’ desire and assault (and protection), and only secondarily as legal or moral subjects in themselves, the law also acknowledges the role of a woman’s own sexual choices in the damage and maintenance of her *pudicitia*. For instance, one section states that if a woman remarries after the alleged death of her absent husband, if she is using the fiction of his death as an excuse, she has committed an offence against her own *pudicitia* (*Dig.* 48.5.12.12: *cum hoc facto pudicitia laboretur*); if, however, she genuinely believes that he is dead she cannot be charged with *stuprum*

¹⁰⁰ See also *Dig.* 27.2.5.pr.3 on the *pudicitia* of a young person.

¹⁰¹ At *Dig.* 3.1.1.5 for a woman to speak in court on behalf of someone else is said to be ‘*contra pudicitiam*’.

or *adulterium*, suggesting that her intention carries very significant weight. This is also the implication of the provision that a woman who is forced into sexual intercourse while in the hands of an enemy is not subject to these charges (48.5.14.7).¹⁰² Moreover, the injunction elsewhere that a judge should look to the morals of the husband in an adultery case suggests that *pudicitia* in a legal setting was very closely bound up with morality and moral subjectivity:

iudex adulterii ante oculos habere debet et inquirere, an maritus pudice vivens mulieri quoque bonos mores colendi auctor fuerit: periniquum enim videtur esse, ut pudicitiam vir ab uxore exigat, quam ipse non exhibeat.

A judge should bear in mind and inquire, in an adultery case, whether the husband has lived *pudice* and has inculcated good morals in his wife: it seems the height of wickedness that a man should exact from his wife *pudicitia* that he himself does not exhibit (*Dig.* 48.5.14.5).

The laws, even as they seek to clarify the situation, raise moral issues about who is responsible for sexual behaviour, how it may best be regulated by external forces, and how far *pudicitia* may be considered an attribute of body or mind, of free or slave.

Law and institutions and legal changes regarding, for example, marriage or prostitution, as far as we can reconstruct them, can tell us something about a society that produces them (although McGinn perhaps goes too far in suggesting that laws about sex may reflect particularly closely prevalent social ideologies).¹⁰³ To an extent they may reflect the moral structures of a society, and changes in the law may be responses to mainstream shifts in ideology. When laws are viewed as the codification of admonitions emanating from a just and wise authority, they may also work upon the moral sensibilities of members of society and play a role in their ethical development. A susceptible and compliant citizen in Britain today might, as a result of awareness of the law, conclude that sixteen years was the age that had been authoritatively deemed mature enough for sexual intercourse and dutifully wait until then before having sex.

No one would want to suggest, however, that the ethical principles enshrined in the laws of any culture were subscribed to in their totality by every (or indeed any) individual member of that culture. The very institutional nature and authoritative weight of laws means that they do not respond swiftly to changes in the moral climate, and risk becoming at odds with majority opinion. Laws may fade in their significance and

¹⁰² And cf. *Dig.* 48.5.18.6 on a woman defending her own *pudicitia*.

¹⁰³ McGinn 1998: 4.

applicability and survive only as unheeded anomalies. They can be imposed in a most unwelcome manner by those in power upon their subjects, and they are often themselves subject to intense controversy. Several of the ancient sources examined in this book offer critiques of legal changes and positions, and I shall end Chapter 7 by discussing some of the institutional changes with respect to sexual practice that took place in the context of the establishment of an imperial system of government, and responses to these found in contemporary literature.

Ancient Roman society was one in which gods played significant roles, although their very existence was subject to debate. Many ancient sources suggest that the gods were commonly perceived to take an active interest in the affairs of human beings, and that maintaining a correct relationship with the gods (through prayer, fulfilment of vows, correct enactment of ritual, appropriate response to any signs the gods might send) was essential to the wellbeing of both individual and community.¹⁰⁴ The poet and philosopher Lucretius, in his Epicurean treatise of the first century BCE, suggests that the more popular view of the gods, which he was engaged in trying to dispel, envisaged them as a kind of divine justice system, with grisly punishments awaiting in the afterlife those mortals who were judged to have deserved them during their lifetime.¹⁰⁵

Those who dwelled in the cities of the Roman empire were surrounded by visual reminders of the gods. The cities were filled with shrines and images of many kinds of gods or divine beings.¹⁰⁶ Some gods *were* moral qualities, so that the adorned city became a kind of gallery of virtues, urging on passing citizens to moral excellence and reflection.¹⁰⁷ Such qualities as Intellect (*Mens*) or Devotion (*Pietas*), and indeed *Pudicitia*, might exist in Roman thought simultaneously as externalised objects (anthropomorphised virtues) of address and worship, and as moral qualities nurtured within the individual.¹⁰⁸ This is one aspect of the vivid engagement of the ethical and the divine in Roman culture that may seem particularly alien to the modern Western thinker. Often called ‘personifications’,¹⁰⁹ these are, as

¹⁰⁴ Cf. Mueller 2002 on Valerius Maximus, Levene 1993 on Livy. ¹⁰⁵ Lucr. 3.978–1023.

¹⁰⁶ See Feeney 1998. See also the beginning of Chapter 3 below on Val. Max. 2.1.

¹⁰⁷ Cic. *Leg.* 2.19.

¹⁰⁸ As Cicero puts it in his discussion *On the Nature of the Gods*: ‘a thing itself in which there dwells a greater power is addressed so that the power itself is named as a god, like Faith or Mind’ (Cic. *Nat. Deor.* 2.61).

¹⁰⁹ Although see Fears 1981 who disputes the accuracy of this term and suggests ‘Virtues’ instead. He also argues that they should not be thought of as abstractions, since Roman thought emphasised their pragmatic aspects.

Denis Feeney writes, ‘an important and conceptually challenging category in the cult of the Roman . . . city’.¹¹⁰ One might equally say that they were an important and challenging category in Roman ethics.¹¹¹

Cicero suggests that they provide a means by which personal individual moral qualities may also be experienced publicly within the community.¹¹² This practice was a means of reifying ethical forces and drawing together the community around their power and their importance. *Pudicitia* was one such Roman moral divinity and is mentioned thus along with the cults devoted to her in several ancient sources (all of which will be discussed in detail during the course of Chapter 1). Such personification and plastic representation give a tangible presence to ethical concepts and seek to make of abstractions something concrete. Personification envisages qualities in human-like form (almost always female, since the Latin terms and the Greek terms from which they derive are themselves gendered as female) but imbued with *numen*, or divine power, and represents them thus in text and image. In this form *Pudicitia* and the rest might be addressed through prayer, might be assigned particular dwelling places, might have shrines built for them, might receive sacrifice and honours both from individuals and from the community as a whole; might, in short, become the focus of ritual practice which will give them coherent shape and enable them to be institutionalised and shared by the community.

Such practices were, however, by no means an uncontroversial part of Roman culture. Pliny the Elder, writing in the middle of the first century CE, was sceptical about conventional belief in such deities, including *pudicitia*, which he describes as extreme foolishness:

innumeros quidem credere atque etiam ex vitiis hominum, ut Pudicitiam, Concordiam, Mentem, Spem, Honorem, Clementiam, Fidem, aut, ut Democrito placuit, duos omnino, Poenam et Beneficium, maiorem ad socordiam accedit.

To believe in innumerable gods, even ones that come from human vices – such as *Pudicitia*, Concord, Mind, Hope, Honour, Mercy, Faith or, as Democritus would have it, only two, Punishment and Reward – reaches the heights of idiocy (Plin. *Nat.* 2.14).

In addition, Roman tradition does not represent such cults as indigenous to Rome and as deriving organically from the early development

¹¹⁰ Feeney 1998: 85.

¹¹¹ See Stafford 2000, esp. 5–27, on issues in personification from abstraction to cult, mainly in ancient Greek culture, and Beard, North and Price 1998, vol. I: 62, Fears 1981, Axtell 1907, Mueller 2002 and Feeney 1998: 87–104.

¹¹² Cic. *Leg.* 2.28.

of the city. Rather the sources emphasise that they are all imported from abroad – usually from Greece and during the third century BCE, in the context of a national crisis such as war or plague, and at the instigation of the Sibylline books or some other oracular source as a means of appeasing the gods with the introduction of a new form of worship into the community.¹¹³ The relationship with Roman ethics is therefore more complicated than it might at first appear.¹¹⁴ Imported cults become part of Roman tradition, but constitute an ever-changing – and always changeable – body of traditions that is regularly updated in response to the changing needs of the community. As Feeney remarks, ‘it was religious contexts that offered the most supple and attractive venue for the articulation of novel ideologies’.¹¹⁵

A similarly fruitful interaction between tradition and innovation can be seen in another fundamental structure underpinning Roman moral education: the exemplary narrative. Abstract values and *mores* (ways of behaving) were largely conveyed into the custody of every new generation through the medium of narrative, which might also critique or rework such values in the retelling. This might come at one extreme in the form of overt fiction or fable or at the other as stories that draw much of their authority and relevance from the fact that they come from Roman history.

Narrative is an important part of the ethical apparatus in every culture,¹¹⁶ but in Rome this importance was formalised and institutionalised in particular ways, especially in the form of the *exemplum*. Roman moral thought is dominated everywhere one turns by the deployment of the Roman past and of events from Roman history as a moral tool.¹¹⁷ Roman culture hoarded thousands of neatly packaged stories about the past which constituted its common cultural memory, a shared resource available to give substance to any thinking or writing or talking about moral issues. These anecdotes give shape to both abstract moral values and qualities themselves (although rather differently from personifications) and also moral issues concerning them, and were presented and alluded to in a wide variety of contexts that permeated every aspect of Roman society. They were employed as a vehicle for inculcating ethical norms and themes during the formal education given to Roman children, which is always depicted in the sources as

¹¹³ For some instances see Chapter 1 below, p. 57.

¹¹⁴ See Fantham 1998: 143, Feeney 1998, Beard, North and Price 1998.

¹¹⁵ Feeney 1998: 86.

¹¹⁶ For analyses of storytelling as part of a (sub-)culture's negotiation and transmission of moral values, and as providing the basis for cultural scripts enabling the expression of values and desires, see e.g. Whatley and Henken 2000, Warner 1994, Turner 1993, Plummer 1994, Fine 1992, Goodwin 1989.

¹¹⁷ For further introduction to *exempla* in Roman culture see Chapter 2 below, pp. 78–80, and Chapter 3.

having great moral import. By illustrating moral qualities and dilemmas, and by providing issues for discussion as well as models for imitation, they formed a staple of Roman moral education beyond childhood too, in the arts of rhetoric and public speaking.¹¹⁸ The fluent and capacious narratives of historians such as Livy, Sallust and Tacitus are drawn from this tradition and often work on moral issues through the narration of expanded paradigms.¹¹⁹ Roman poets such as Virgil drew on the tradition.¹²⁰ *Exempla* provide a nuanced moral language for Romans that was not only acquired through literature and by the educated; all the public areas of Rome were crammed with visual and oral representations of exemplary figures and their deeds: statues, monuments, funeral processions, speeches in the forum all commemorate the traditional Roman morality and alert passers-by to the texture of the past.

The historicity and (at least apparent) reality of this past are what endow the *exemplum* with its authority and the moral weight of its narrative. Even stories that sound less credible to the modern ear, perhaps containing supernatural elements, are bolstered by the authors so as to encourage the reader to believe them, or at least to suspend disbelief for the sake of the moral of the tale.¹²¹ *Exempla* are not presented as invented stories, but as the serious legacy of a heroic past and of its chroniclers that underpins the moral structures of Rome.

This cultural memory is a treasury of ghostly stories, existing only as a function of the individual Roman imaginations that shared in it long ago, and that we can never access directly. As with Greek myth or poems of the oral tradition, we can only approach Roman *exempla* through the traces they have left in the material survivors of the ancient world: text and image. Each such instantiation of an *exemplum*, whether in the pages of Livy or the inscription on a statue base, is a unique version and retelling that gives the *exemplum* new life and significance. Indeed one might add that each *reading* of such an instantiation, whether ancient or modern, renders a unique version of the *exemplum* with new life and significance. The core narratives persist as the elusive stuff of tradition, handed on through the generations, but with each new handling they are remoulded, and are thereby over and again made relevant for a new moment. Each instance of, or reference to, an *exemplum* offers to reveal certain aspects of Roman morality that are encoded both in the narrative and in its particular presentation of that narrative. Every chapter in this book will in its own way

¹¹⁸ See Chapters 5 and 6 below. ¹¹⁹ See especially Chapters 2 and 7 below.

¹²⁰ Cf. the parade of heroes in *Aeneid* 6, the pictures on the shield of Aeneas in *Aeneid* 8.

¹²¹ See below Chapter 2, pp. 79–80.

explore what the exemplary tradition can tell us about Roman morality, since its stories and their structures permeate every written text.

I have tried to outline above some aspects of the panoply of resources that might have been available in ancient Rome as sources of moral guidance or education, discussion or challenge. They can tell us nothing of the experience of a particular Roman, nothing of the alchemy of an individual's engagement with and response to the various media of moral concerns with which he or she may have come into contact. At least, however, we can see what was out there, and we can speculate how the various messages might have been activated by the range of Roman subjects.

Any culture is made up of a common 'language' of intersubjective meanings that enables its members to talk to one another about social reality.¹²² This book applies to our ancient literary sources literary, social and anthropological theory in order to pursue a 'thick description' of the ancient phenomenon of *pudicitia*, placing it in the context of the cultural systems that produced it in the hope of recapturing for the modern reader the significance that it may have held for ancients.¹²³ Reading the texts carefully, and with the accumulated context that they provide for one another, this book aims to gauge what kind of resource for the shaping of moral subjects each might have provided.

PUDICITIA – A LATIN TERM, A ROMAN CONCEPT

This book is an inquiry into Roman sexual morality that seeks to move away from contemporary Western categories of sexual ethical thought, towards a deeper understanding of the issues that mattered to the Romans themselves, and of the way the Romans negotiated these issues. Of course, we will encounter questions about what sorts of behaviour seem to have been morally and socially acceptable to the Romans. However, I also ask more fundamental questions, such as how Roman culture established the boundaries of acceptable behaviour, what such acceptability might have meant within this culture, and what the implications of sexual ethics were for Roman society more generally.

The various translations and definitions offered by modern scholars for the Latin term *pudicitia* over the years give a sense of the semantic range and of some aspects of the concept. It has most frequently been translated

¹²² Shrager 1994.

¹²³ Cf. Taylor 1989. For the term 'thick description' to describe an anthropological methodology and an illustration of its application see Geertz 1973.

as ‘chastity’, but it bears little relation to this quality – which has specifically Christian roots in our own culture – of sexual abstinence and repression of desire.¹²⁴ Even more specifically it has been translated as ‘female chastity’ or ‘women’s chastity’,¹²⁵ but we shall see that although it has in some contexts a particular relevance to married women,¹²⁶ it is by no means exclusively a moral quality that pertains to females. *Castitas* (whence the English term ‘chastity’) is often described by modern scholars as a synonym of *pudicitia* and it is indeed sometimes treated as interchangeable with *pudicitia* in our ancient texts. *Castitas* denotes a moral and physical purity usually in a specifically religious context, so that *castitas* and *pudicitia* become very close in meaning when they describe freedom from specifically sexual pollution in a specifically religious context.¹²⁷ A fourth-century commentator on Latin semantics attempts to pin down the distinction between *pudicitia* and *castitas* in terms of freedom from shameful lusts versus a more general self-restraint associated with religious purity, claiming that *pudicitia* is a subcategory of the broader concept of *castitas*.¹²⁸ The latter term is used elsewhere in a non-religious context to denote sexual status and conduct.¹²⁹ However, the adjective *castus* can also be used of places and objects, whereas *pudicus* is only ever used of persons, suggesting that there is more of a moral dimension to the latter; an object might fairly be said to be pure because it had not been mishandled or spoiled, but one would hardly attribute its purity to any moral intention or virtue of the object itself.

¹²⁴ For *pudicitia* translated as ‘chastity’ see e.g. Edwards 1993: 43.

¹²⁵ Robert Palmer, in his article devoted to the cult figure, translates ‘Pudicitia’ as ‘Female Chastity’ both in his title and in his opening sentence: ‘The Latin word for female chastity is *pudicitia* . . .’ (Palmer 1974: 113). In Wallace-Hadrill 1981: 322, *Pudicitia* is described as ‘this traditional women’s deity’. Cf. ‘*pudicitia* is almost always an attribute of women’ (Moore 1989: 122).

¹²⁶ See especially Chapter 1 below.

¹²⁷ As they do e.g. in the cases of Sen. *Contr.* 1.2 (see below Chapter 5), Sulpicia and Claudia Quinta (see below Chapter 1).

¹²⁸ Nonius Marcellus 440.1: ‘*castitas* and *pudicitia* are thought to be the same; since *pudicitia* is being free from damage by shameful lusts; *castitas* is both being particularly restrained and removed from these and a form of religious cleanliness and purity; and to this extent *castitas* is greater in scope than *pudicitia*, since *pudicitia* forms part of *castitas* together with other aspects’ (*paria deputantur: cum sit pudicitia ab iniuria turpium libidinum libera; castitas et ab his continens ac remota praeterea et religiosa munditia et puritas; atque ideo plus est castitas a pudicitia, quod pars sit pudicitia cum aliis ceteris castitatis*). *Sanctitas* is very close in meaning to *castitas*. However, since the sexual aspect of the sense of its English derivation ‘sanctity’ is less evident and the religious aspect is dominant (‘sanctity’ being a key Christian term), its broader sense and distance from merely sexual virtue will be more readily apparent to the modern reader.

¹²⁹ E.g. by Livy of Lucretia, see Chapter 2 below; of a young girl in Valerius Maximus, see Chapter 3 below; of a wife in Apuleius *Met.* 9, see Chapter 4; and of Augustus in Suetonius *Aug.* 71, see Chapter 7.

In other contexts *pudicitia* has been translated as ‘sense of decency’¹³⁰ or ‘self-respect’,¹³¹ emphasising its aspects as a personal moral quality relating to the individual’s awareness of social protocol or of his or her own standing in the community, or has been variously glossed over the years as ‘(sexual) modesty’,¹³² or, drawing attention to its manifestations as and relevance to a physical state of the body, ‘(sexual) purity’,¹³³ ‘(sexual) integrity’.¹³⁴ These attempts to render the significance of the term give some initial sense of the scope of *pudicitia*, but just as there is no satisfactory English translation equally there is no way of encapsulating its unfamiliar significances in just a few words. To summarise, it is a moral virtue (in the peculiarly Roman sense of moral virtue – see below) that pertains to the regulation of behaviour (either of oneself or of other people) specifically associated with sex. Some of the various facets of *pudicitia* that will come to light in our study of the sources can be outlined as follows; it is:

- a personified moral quality worshipped through cult – and associated with married women (see Chapter 1);
- a moral force, sometimes described as internal self-regulation, like the Greek (and Christian) concept of *sophrosyne* (see Chapter 3);¹³⁵
- a concept relating to modern ‘shame’, and to ancient *pudor*, *verecundia* and *modestia*, that serves to police sexual behaviour through invoking a sense of the moralising gaze of the community (also related to the Greek concept of *aidos*); this fosters climates of rumour and accusation as well as public praise;
- an ardent, heroic virtue, related to courage and patriotic sense of duty to the community, which, like all virtues in Roman culture, needs to be displayed in public acts which are often violent or startling (see especially Chapters 2 and 3);
- often described in terms of the vocabulary of protection and defence that is traditionally used of war;

¹³⁰ L. G. H. Greenwood 1953 in Loeb Classical Library translation of Cic. *Verr.* 3.4. Cf. ‘decency’ in the Loeb translation of *pro Milone* 77 by N. H. Watts 1931.

¹³¹ In the Loeb translation by H. R. Rackham 1942 of Cicero e.g. at *Part.* 86.

¹³² E.g. the goddess Pudicitia is called ‘Modesty’ throughout B. O. Foster’s translation of Livy Book 10 for the Loeb edition; the term is also rendered as ‘modesty’ by John W. Basore’s Loeb translation of Seneca’s *Moral Essays* 12.6.3; cf. Kuefler 2001: 81: ‘sexual modesty’.

¹³³ Forbis 1990: 83: ‘[t]he virtues . . . ascribed to women signify sexual purity (e.g. *pudicitia*)’ or Moore 1989: 122: ‘*Pudicitia* is basically synonymous with *castitas* and means sexual purity.’

¹³⁴ Williams 1995: 528.

¹³⁵ For *pudicitia* as dwelling in the mind rather than in the body see Sen. *Dial.* 4.13.2; Cic. *de Orat.* 2.257; *Rhet. Her.* 4.23, 52. Cf. note 41 in Chapter 2 below.

- a combatant against *libido* and protective guardian both as personification of virtue and as manifested through actions of individuals (see Chapters 2 and 6);
- the prize at stake in such battles, or as a pseudo-commodity in the anthropological sense traded through the bodies of women and children¹³⁶ (Chapters 2 and 6);
- a physical attribute, in direct contrast to moral sensibility, associated with purity, physical state and experience (Chapters 2 and 3) and vulnerable to physical acts, specifically of *stuprum*, the act of transgressive sex that damages an individual by destroying *pudicitia*.

The scope of its significance in Roman culture, then, is considerable, and often different aspects of its significance work against one other and produce tensions which are themselves part of the meaning of the concept, as we shall see, and contribute to the concept's cultural tone and significance. My study shows that the concept of *pudicitia* is not adequately encompassed by systematic definition. It is multidimensional, appearing in the Roman sources as deity, as core civic virtue, as psychological state, as physical state; it is associated with shame and awareness of social boundaries, with honour and bravery, with reputation, with patriotism, with self-control, with paternalistic authority over the sex lives of other people, with personal vulnerability, and with much more. At times, aspects of *pudicitia* are in conflict with one another, and this complexity acknowledges the problems inherent in the phenomenon of a community attempting to establish invisible boundaries and exert control over an elusive and complicated area of an individual's life, and also the vibrant contradictions between various parts of Roman culture.

This book constitutes an exploration of sexual morals and ethics and the regulation of sexual behaviour in ancient Rome that goes beyond simple legal strictures or philosophical systems to embrace as far as possible personal moral development. It provides a case-study of the complexity of moral processes in general, and a focus for an examination of wider issues in Roman culture.

¹³⁶ Cf. Gilmore 1987 for anthropologists' comparison with contemporary Mediterranean societies that elucidate the workings of ancient Mediterranean societies, and especially Giovannini 1987. 'The tendency for young Greek men . . . to be especially vigilant with their sisters and react violently when they felt threatened by the latter's behaviour' (Giovannini 1987: 68) is reminiscent of the Roman tale of Horatius who kills his sister when she grieves inappropriately the death of her fiancé and his enemy at her brother's hand (Val. Max. 8.1.absol.1, Livy 1.26). Equally (still on page 68) in 'the idea is that though all women are innately weak and vulnerable, some women have an inner sense of *vergogna* (shame) that helps them avoid compromising situations' the Italian concept of *vergogna* sounds close to the Latin concepts of *pudicitia* or *verecundia*.

SOURCES AND INTERPRETATION

In this work, I have tried to identify some of the different cultural phenomena with which ancient Romans might have engaged in order to think about or establish the nature of *pudicitia* (and ethical concepts generally). If we learn to relate to one another partly with reference to the behaviour of people in text or play or story and by re-enacting formulae,¹³⁷ this book seeks to explore the kinds of material that a Roman – any Roman – might have had to hand when they were fashioning themselves as members of society. Much of the cultural context within which people in ancient Rome might have engaged with the texts examined in this book is unrecoverable, and I have therefore relied to a large extent on generic differences as a way of differentiating between different registers and kinds of ethical thought in ancient Rome, as well as on listening to what the texts imply about the kinds of readerships and responses that are expected. Thus, although in places a historical theme or phenomenon is examined, and its constitution and treatment in a variety of different sources considered (e.g. the cult of *pudicitia* in Chapter 1 or imperial policy in Chapter 7), most chapters in the book focus on one particular kind of source (genre or author or text) at a time. I have tried to ask of every text what it takes for granted as much as what it states explicitly, what concepts it is working with, and how it might interact with the world around it.

Chapter 1 (*Sexual virtue on display I: The cults of pudicitia and honours for women*) takes as its starting point the phenomenon of *Pudicitia* as deity and personified virtue, worshipped by Roman women with shrines and cult, as the guardian of Roman morals. Here we find that the public display of *pudicitia* through ritual practice and other open gestures was central to women's honour in ancient Rome, and the chapter explores the way that Roman texts make sense of ritual and myths associated with the establishment of cults in terms of a range of themes. The primary sources introduced and examined in this chapter (primarily the works of Livy, Valerius Maximus, Propertius and Juvenal and Ovid's *Fasti*) will all be shown to have their own locations in historical and cultural contexts that problematise them as straightforward sources of information about the cult itself. These contexts will be examined more thoroughly in the chapters that follow.

Chapter 2 (*Traditional narratives and Livy's Roman history*) focuses on the traditional moralising narrative, an important aspect of Roman culture, and in particular on the extensive and subtle treatments of four such narratives

¹³⁷ Barthes 1990.

in the work of the Republican historian Livy that centre on the quality of *pudicitia*. In Chapter 3 (*Valerius Maximus: the complexities of past as paradigm*) we examine traditional narratives in a different form, that of the *exemplum*, as they are collected and arranged in one of our key sources for Roman morality – the early imperial work of Valerius Maximus – focusing in detail on his chapter dealing with *pudicitia*.

In Chapter 4 (*Subversive genres: testing the limits of pudicitia*) we turn to an assortment of different texts and genres that appear in various ways to mock or challenge moral conventions. These are often genres that come under attack elsewhere for their morals, and all use humour to explore the underbelly of ethics and to put pressure on traditional values such as *pudicitia* or a husband's control of his wife's behaviour. The material covered in this chapter includes love elegy (especially the poems of Propertius), comedy (especially the plays of Plautus), one of Phaedrus' *Fables*, passages from Ovid's *Metamorphoses* and *Heroides*, and the novels of Apuleius and Petronius.

Dilemmas in sexual ethics form the basis for many rhetorical exercises (declamations) for young Roman orators in training. Chapter 5 (*Declamation: what part of 'no' do you understand?*) examines the issues raised by such debates and the questions of how this sort of exercise might relate to the moral life of educated Romans. In Chapter 6 (*Sexual virtue on display II: oratory and the speeches of Cicero*) we turn to the fruits of that training – the speeches of an orator himself, represented by the extant works of Cicero – and also to the context in which such speeches were delivered. The world of politics and oratory is another setting for the public display of *pudicitia*, although very different from that which we find in Chapter 1 – to begin with, one that is primarily masculine. Here *pudicitia* is portrayed as an integral part of political ideology and a vital weapon in the orator's armoury; this chapter will explore its importance to a man's reputation and the function of invective and the relationship of *pudicitia* to social status. In Chapter 7 (*Imperial narratives, imperial interventions*) the works of the historian Tacitus and the imperial biographer Suetonius are the focus of study. Both these treat the history of the imperial regime from the perspective of the second century CE and both make lively use of the theme of sexual morality as a means of commenting on the political concerns of the empire. Among other things, the chapter explores the ways that these and other imperial authors such as Martial and Juvenal re-employ and distort the traditional narratives that we have encountered in other texts to convey moral predicaments of their own times. With the emergence of the imperial household as an important Roman institution in the first century CE,

the Julio-Claudian emperors began to exert their influence over some civic methods of moral education such as cult, visual displays of statuary, *exempla* and contemporary literature, as well as seeking to curtail the behaviour of their subjects with legal statutes. Augustus and Tiberius explicitly associated themselves and members of their family with the quality of *pudicitia*, and passed moral legislation such as the law against adultery. This [final chapter](#) examines these transformations and the responses to them that we find in the sources, and considers the implications for sexual morality among the citizens of Rome.

In each chapter I endeavour to make out what is particular about each genre's rendition of *pudicitia* and how it functions within the wider literary and cultural systems of that text or type of text. I endeavour to be sensitive to the cultural contexts of the production of each source that I use, and the varying contexts in which ancient Romans might have encountered them. I want to be alert (within the very strict limitations imposed by our lack of material and context) to the way that different kinds of Romans (or people living in Rome)¹³⁸ might have engaged differently with these discourses given the different possibilities of relating to society and culture for men and for women, for slave and for free. Then I want to explore how these different (artificially isolated) discourses relate to one another – contradict, bolster, enrich, or confuse – and how this inevitable phenomenon of bewildering multiplicity might encourage particular areas of friction where critical moral faculties are irritated and stimulated so that they might be brought to bear on the issues that were central to Roman sexual ethics.

A recent work of philosophy writes of the 'complexities of modern acculturation' that 'by now we are educated from a smorgasbord of traditions, practices and beliefs which themselves derive from variegated first principles'.¹³⁹ My work urges us to recognise that the sexual ethics of ancient Rome, if we could truly immerse ourselves in them, would be found to be no more monolithic and no less controversial than are those of our own pluralistic, multicultural society today; it aims to respect the complexity and the density of Roman morality. We have no chance of finding out about an individual Roman's 'complex and conflicting self',¹⁴⁰ but we can

¹³⁸ It is likely, though difficult to substantiate, that Roman citizens who lived outside the city throughout Italy and the provinces, and foreigners dwelling in the city, were differently affected by issues of *pudicitia*. In my discussion of the Bacchanalian affair in Chapters 2 and 4 I briefly consider sexual morality in Italy, and Italian inscriptions give us some sense of the use of the term outside Rome (see Forbis 1990 and 1996), but for the most part our sources give us access only to elite and urban representations of the quality.

¹³⁹ Rist 2002: 64. ¹⁴⁰ Rist 2002.

at least have a look at some of the delicacies laid out on the Roman ethical smorgasbord.

It should become clear as this book progresses that the impression that one gets of what *pudicitia* is varies (sometimes radically) depending on the source one happens to be reading. It has been vital to examine the ancient sources individually and thoroughly. With the luxury of a monograph devoted to the elucidation of a single concept, I hope to avoid doing what studies of less focus are compelled to do for the sake of satisfying the reader: extrapolating all of Roman ideology from a single citation, drawing sweeping conclusions on the basis of slender evidence. Instead of trying to combine or to tessellate our sources in order to make a coherent picture, then, I want to show the ways that they contradict and differ from, as well as bolster and overlap with, one another. My study of these ancient ways of thinking about sexual morality is a detailed study of texts taking into account, working with and exploiting the diversity and conflict between them to gain as broad and subtle an understanding of the concept of *pudicitia* as possible. My book aims to be a model of sustained source criticism, tracing a single Roman term through a range of different texts and contexts.

CHAPTER I

Sexual virtue on display I: the cults of pudicitia and honours for women

pulcherrima . . . forma, maximum decus . . . pudicitia

The loveliest form of beauty . . . the greatest adornment . . .
pudicitia

(Seneca to his mother Helvia)

This book begins with a chapter about *pudicitia* as publicly celebrated and rewarded in Roman society. A striking aspect of *pudicitia* was its association with public and visual display by married women to the community, both through their appearance and demeanour and through their cultivation of *pudicitia* as a goddess. This [first chapter](#) explores the manifestation of *pudicitia* as a personified abstract virtue, a goddess described as playing an active role in the lives of ancient Romans, with her own shrines, cult statues and cult. It introduces key themes such as *pudicitia*'s association with married women, public display, and the negotiation of the boundaries of social status. The chapter also exposes some of the tensions that lend this ideal of displaying *pudicitia* its frisson: its elusiveness; its dangerous proximity to, and strained relationship with, beauty; its fragility in the face of suspicion and gossip.

Pudicitia was a personal quality that needed to be displayed to and seen by others. Roman society demanded that a married woman (and particularly one involved in celebrating the cult of *pudicitia*) must strive to display the quality of *pudicitia* to the rest of the community in her person. Ideally *pudicitia* would shine forth from a married woman; it would turn heads when she walked down the street. As the philosopher Seneca writes to his mother Helvia, the most befitting ornament for a woman is *pudicitia*: 'in you is seen the unique ornament, the most lovely kind of beauty, the greatest glory – *pudicitia*'.¹ 'The most fortunate man in the

¹ Sen. *Dial.* 12.16.4. For further discussion of this passage see the end of this chapter, below. I here translate *ornamentum* as 'ornament' and *decus* as 'glory'; at the head of the chapter and at the end of the chapter *decus* is translated as 'adornment'. This variation is an attempt to capture the range

world' (according to the writer Valerius Maximus)² has amongst his other blessings the ideal wife, whose supremacy is summed up thus: she is 'a wife who is conspicuous in her *pudicitia* and in her fecundity' (*uxorem pudicitia et fecunditate conspicuam*).³ It is not enough that a wife merely regulate her sexual behaviour in the accepted ways; it is required that her virtue in this area be conspicuous (*conspicua*) – plain for all to see, so remarkable as to attract attention.⁴ Ancient sources also tell us that women competed publicly among themselves in *pudicitia*, and that official honours were bestowed on those who were judged outstanding. Valerius Maximus describes a crown of *pudicitia* (*corona pudicitiae*) that was awarded publicly by the community to individuals pre-eminent in the quality, and several episodes in Roman history involve women honoured for their *pudicitia*.⁵ Throughout the empire, people declared the *pudicitia* of themselves and of their spouses on funerary epitaphs.⁶

These aspects of Roman sexual virtue – its need for publicity, its loud, attention-seeking nature – present a challenge. In this context, the (commonly offered) term 'modesty' simply will not do as a translation of *pudicitia*.⁷ It is also clear that *pudicitia* is something different from the repressive 'chastity' or 'continence' which those from cultures under the influence of puritan Christian sexual ethics might expect.⁸ A competition of sexual continence alone makes no sense, unless you expect almost every participant eventually to buckle under the strain and give in to the allure of adultery. One cannot compete in *not* doing something; there must be more to competitive *pudicitia* than this.⁹

of meanings of the Latin term, which embraces a sense of visual appeal, of honour and virtue, and of honorific award; the English term 'decoration', with its two senses of beautification and of (say) medals for military service, is etymologically related and has something of the same scope. The nuances of the word, and its significance in the context of this passage, will be further explored below.

² For more on whom see Chapter 3 below.

³ Val. Max. 7.1.1 of Q. Metellus Macedonicus. For the close relation between fecundity (*fecunditas*) and *pudicitia* in Roman thought see also Livy 42.34.3; Sen. *Dial.* 12.16.3 (cited below); Tac. *Ann.* 1.41.2 (see Chapter 7 below).

⁴ For the visual quality of *pudicitia* cf. Pompon. 1.46 where *pudicitia* is 'distinguished' (*insignis*); Tac. *Ann.* 1.41.2 where it is *praeclara*; for further references to the need for *pudicitia* to be visually evident see below, pp. 69–73.

⁵ Val. Max. 2.1.3; other references discussed below.

⁶ See Forbis 1990, Lattimore 1962.

⁷ It has been translated thus recently (and these examples are taken more or less at random) by Cape 2002: 207 and Rives 1999: 205. I am not suggesting, of course, that their uses of the term are ludicrous, since their contexts do not require them to put the pressure on the definition that mine does; the references merely illustrate that this is one of the current standard translations of *pudicitia* into English.

⁸ 'Chastity' is the most common translation of *pudicitia* into English in current scholarship: e.g. Cantarella 1987: 151; Palmer's 1974 article describes *pudicitia* as 'female chastity' throughout.

⁹ A comparison might be made with the contemporary phenomenon of evangelical Christian abstinence 'The Silver Ring Thing', which is all about display; photographs of large groups of teenagers holding out their rings for the camera adorn the official website at www.silverringthing.com.

My first chapter, then, will focus on one aspect of a sexual virtue in the Roman culture of display: the phenomenon of the ritual cultivation of *pudicitia* as divinity, with the associated themes and narratives that emerge from the sources that mention such cultivation. We will explore this key aspect of *pudicitia*'s role in the public domain, its association with married women, and implications of the sources' insistence on the centrality of visual display. Whereas Thucydides loudly proclaims the virtues of remaining silent on the subject of women,¹⁰ Roman sources declare that *pudicitia* must be publicised. However, they remain properly imprecise about the details of its publicity, shying away from the actualities of cult practice or detailed physical descriptions of virtuous women; our sources are coy or marginal.

PUDICITIA AS GODDESS

Pudicitia is one of many abstract moral qualities that manifest as divine beings in Roman culture.¹¹ She appears in the lists of divinities reeled off by sceptics such as Pliny the Elder. References to such a deity or personification in extant literature are sparse, but they do span our whole period of concern, from Plautus' *Amphitryo* to Juvenal's sixth satire and beyond.¹² Identification of such references is complicated by the fact that Latin does not distinguish between lower- and upper-case letters, and thus *Pudicitia* and *pudicitia* are one and the same, allowing a slippage between the active divine being, controlling the lives of mortals from without, and the virtue within.¹³ However, from the late first century CE, *pudicitia* is also represented visually as a personified figure on coins produced by men and women of the imperial family,¹⁴ and possibly on other, large-scale monuments such as the Forum Transitorium.¹⁵

Pudicitia was a real and powerful presence in the life of the city, impinging on the ethical development of individuals, as an invocation to her in the work of the early imperial moralist Valerius Maximus attests. In a brief

¹⁰ Thuc. 2.45.2.

¹¹ See Introduction, pp. 25–7 above and Beard, North and Price 1998, vol. I: 62, Fears 1981, Axtell 1907, Mueller 2002 and Feeney 1998: 87–92.

¹² Plaut. *Amph.* 929 (see Chapter 4 below, p. 218), Livy 1.58.5 (see Chapter 2 below, p. 91); Cic. *Verr.* 3.6 (see Chapter 6 below, p. 290); Cic. *Catil.* 2.25 (see Chapter 6 below, p. 283); Calp. *Decl.* 3 (see Chapter 5 below, p. 272); Val. Max. 6.1.praef. (discussed below and Chapter 3); Mart. 6.7.1; Juv. 6.1 and 14 (discussed below, p. 55); Plin. *Nat.* 2.14.1.

¹³ I shall usually use the lower case to refer to all manifestations of *pudicitia* throughout, so as to maintain this flexibility, but where it is the personification that is specifically indicated I shall use the upper case.

¹⁴ For representations of *Pudicitia* on imperial coinage see Mueller 2002: 24–6.

¹⁵ Such is the argument of D'Ambra 1993.

preface to a chapter of anecdotes illustrative of the virtue of *pudicitia*, he addresses the personified quality as a deity, invoking her in the formal language of prayer and suggesting that she is responsible for inspiring the catalogue of deeds that follow:¹⁶

unde te virorum pariter ac feminarum praecipuum firmamentum, pudicitia, invocem? tu enim prisca religione consecratos Vestae focus incolis, tu Capitoli-nae Iunonis pulvinaribus incubas, tu Palati columnen augustos penates sanctissimumque Iuliae genialem torum adsidua statione celebras, tuo praesidio puerilis aetatis insignia munita sunt, tui numinis respectu sincerus iuventae flos permanet, te custode matronalis stola censetur: ades igitur et cognosce quae fieri ipsa voluisti.

From where shall I invoke you, *pudicitia*, the principal foundation of men and women together? For you inhabit the hearths which according to ancient religion are sacred to Vesta, you lie on the sacred couches of Capitoline Juno, on the summit of the Palatine you celebrate the majestic household gods and the most sacred Julian marriage bed, standing by at all times; the glories of childhood are defended by your protection, the flower of youth remains pure out of respect for your divine power, the matronal robe is esteemed because you are its guard. Therefore come near and know again of those events that you yourself willed to come about (Val. Max. 6.1.praef.).

Valerius starts with a formal invocation of the deity, and proceeds by listing the places and the roles associated with her; finally *pudicitia* is invited to step out of the parade of exemplary figures and join the author and reader as spectator at the show of *exempla* to follow.¹⁷ The formal hymnic anaphora emphasises her direct involvement in Roman life; using the repetition of the second person singular pronoun (*tu . . . tu . . . tu . . . tuo . . . tui . . . te*) at the head of each phrase, Valerius first describes her numinous presence in three key political and religious *locations* in the heart of Rome – the temple of Vesta,¹⁸ the temple of Juno on the Capitoline,¹⁹ and the seat of the Julian

¹⁶ For a full discussion of this text see Chapter 3 below.

¹⁷ For the structure of a formal invocation see Norden 1956: 143–63. The proem to Lucretius' *De rerum natura* or Catul. 34 are further examples of the same structure in Latin literature. For *exempla* see further Chapters 2 and 3 below.

¹⁸ On the hearths, temple and cult of Vesta, with its associations with *castitas*, fertility and the wellbeing of the city see Beard, North and Price 1998 vol. I: 51–4; see also 189–91 for the close association of Vesta with the imperial family under Augustus. See Mueller 2002: 44–68 on the representation of Vesta in Valerius Maximus.

¹⁹ Juno was one of three deities (with Jupiter and Minerva) celebrated in the Capitulum, on the Capitoline hill overlooking the forum, at the centre of Roman religious practice. Like the temple of Vesta, supposed to have housed sacred items brought from Troy, this was an institution that traced its history from the very origins of the Roman city. The goddess Juno was associated with marriage and childbirth; see further Mueller 1998 for the significance of her association here with *pudicitia*.

imperial family on the Palatine²⁰ – and then specifies three sets of *people* with whom she is connected: children, youths and married women (*pueri*, *iuvenes* and *matronae*).

The key vocabulary is of protection, and the military resonance of *adsidua statione* ('standing by at all times') in the earlier phrase is picked up and expanded on in the second half of Valerius' description: *pudicitia* is a guard (*custos*) under whose protective care (*praesidium*) Roman citizens are defended (*munita*). *Pudicitia* is the guard who defends the *insignia* of childhood, respect for her godhead allows the flower of youth to remain pure (*sincerus*), and it is because she is its guardian that the matronal rank is esteemed. Each group that she protects is described in a manner suggestive of the related concepts of social status, attractiveness, and vulnerability.²¹ The *insignia* of young male children (the *bullae* – an amulet worn around the neck) and the *stolae* (long robes) of married women are the items which they wear to mark them out visually from other members of society and which indicate the freeborn status which makes assaulting them an offence;²² in Roman society it should instantly be clear which people are untouchable, and the visibility of status and sexual vulnerability is clear.

The stories that follow are of individuals manifesting and enacting the quality of *pudicitia* in a series of startling and unusually violent deeds. In Chapter 3 I shall analyse in detail Valerius' text, and its representation and problematisation of the concept of *pudicitia*. Here it shall suffice to notice that there is a direct relationship between this goddess and the moral quality that will be illustrated in the rest of Valerius' chapter. He describes the goddess as having willed the deeds of *pudicitia* to take place and as now once again overseeing their enactment; she is fully aware of and involved in both the moral activities of mortals and the handing down of moral principles. The passage suggests her direct intervention through inspiration into the ethical lives of mortals, and as a power manifested through Roman people.²³ Furthermore, the opening line of the passage advertises the fundamental significance of *pudicitia* to both men and women – an important claim that will be further explored in Chapter 3 below.

²⁰ There is much at stake in *pudicitia*'s association with the imperial household. The work, addressed to the emperor as moral leader, is written during the rule of Tiberius when the principate is establishing power partly through strategies of engaging with the moral life of its subjects; see Chapter 7 below and Langlands 2000, Part II.

²¹ All the groups mentioned here also require legal protection from an adult male; see above Introduction, pp. 20–1.

²² On the idea that Augustus had recently re-established the wearing of the *stola* by women as part of a new visual language of politics and morality see Sebesta 1998.

²³ For more on gods (and particularly *Pudicitia*) as interested in mortal ethics see Mueller 2002, esp. Chapter 1.

Valerius Maximus does not mention a specific shrine or cult devoted to *Pudicitia*, but other ancient sources, Livy and Festus (examined below), speak of two separate shrines (*sacella*) in the city of Rome housing her statue (an original shrine in the Forum Boarium, near the temple of Hercules, and a more recent, plebeian shrine in the Vicus Longus).²⁴ These sources state that participation in the rituals was restricted to married women of proven sexual virtue who had only been married once. In such cult practice Romans created for certain virtues a visible and tangible form and then, by publicly displaying representations of them and coming together to cultivate them as deities, showed how important such qualities were for the community and for the state itself. An account of such activity influenced by anthropological methodology recognises the cultivation of civic shrines as an important form of engagement with moral issues for the ancient Romans. Through participation in public ritual, citizens of Rome participated in their community, and before the eyes of their community, and acted out a public endorsement of certain key values that were felt to hold the community together. Through their communal performance of ritual, as well as through their role as spectators of ritual, members of Roman society were able to internalise the structures of moral thought that would make them functioning citizens – or at least so our elite-authored sources would have us believe.

Cult practice enshrines aspects of Roman ideology in a non-textual medium, without philosophical discussion. To study cults is to approach a different register of moral thought from that which we find in many of our elite sources. Ritual is a mode of communication which can reach the illiterate and the uneducated through symbol and gesture, and whose ethical significance resonates throughout all ranks of society. The cult and ritual practice of other cultures has long been subject to anthropological analysis, which is felt to offer an outsider an alternative path of access to the mindset of an alien community to that offered by text and spoken word.²⁵

The first mode of discourse about *pudicitia* that I should *like* to examine, then, is that of ritual and cult practice – but, unfortunately, this is a tantalising impossibility. In an ideal world we would be in a position to analyse the rituals involved in tending the cult of *Pudicitia* first-hand, just as Clifford

²⁴ See Palmer 1974. The Forum Boarium was a public space in Rome with a long history to which many stories were attached; it was the site of the Ara Maxima associated with Hercules (Varro *Ling.* 5.146, Fest. p. 349L, Prop. 4.9.19–20, Ov. *Fast.* 6.477–8). The Vicus Longus was a residential street between the Quirinal and Viminal hills, with strong associations with plebeian history. See Steinby 1999: 167–9 and Richardson 1992: 321–2.

²⁵ Feeney 1998: 117.

Geertz, in an exemplary piece of anthropological analysis, observed, broke down and made sense of the rituals of the Balinese cock fight in terms of a wider social system of meaning.²⁶ As Classicists, however, we are used to the cold trail and the inability to get in among our subjects. At the very least, however, we might hope to be able to analyse aspects of the ritual as chronicled by the ancient authors themselves, as Ariadne Staples has done for a number of Roman cults in which women participated. She has studied various aspects of cult practice (such as the status of participants, the nature of the rituals that are performed, and the mythical tales associated with a cult) in order to show how they work to dramatise and act out the sticky issues in Roman ideology, to set up and reaffirm boundaries and categories of thought, help to reinforce types of behaviour and to affirm the community of all these ideas.²⁷

In the case of the cult of *pudicitia*, no such luck. The ancient sources do have some ancient description of other cult practices associated with the quality of *pudicitia* (which I shall come on to later in this chapter),²⁸ but there is no actual description of the cult or rituals of the deity *Pudicitia* herself. If there ever were accounts they are long gone, and we have no opportunity, unlike the modern anthropologist, to witness and interpret the activities of the participants in the cult ourselves. We must rely on piecing together a sense of what the cult might have involved and what it might have meant to the Romans from a miscellaneous yet severely restricted range of sources, hoping to make the Romans articulate anew answers to our own questions.

In addition, when we do have relevant source material, there are also issues about how we are to interpret ancient texts that engage with the topics of ritual and cult. Feeney points out that even our apparently most revealing sources about Roman cult are highly problematic. There is a startling discrepancy, for instance, in the case of the cult of the Bona Dea, for which we happen to have ample source material, between the evidence of the ancient literature and that of the archaeological sources.²⁹ As Feeney emphasises, the literary texts that write about cult (of which Ovid's *Fasti* is a prominent and paradigmatically puzzling example, discussed later in this chapter) represent in themselves interpretation or exegesis of their subject rather than description, and must be taken as participants in their own form of cultural practice, rather than standing back to observe it impartially.³⁰

²⁶ 'Deep play: notes on a Balinese cockfight' in Geertz 1973: 3–30.

²⁷ Staples 1997. These female cults are often shown to pertain to the sexuality of both men and women.

²⁸ See also Palmer 1974 and Staples 1997. ²⁹ Feeney 1998: 17–18.

³⁰ Cf. Bourdieu 1977 on the idea of the theory of practice.

What ancient texts say about ritual is very valuable, but we must not succumb to the temptation to take them as expert or reliable informants about the reality of ritual.³¹

While providing an introduction to some aspects of the significance of the ancient term *pudicitia* in Roman society, then, this preliminary analysis of ancient material relating to the cult will also provide an opportunity to reflect on the nature of our sources. I shall first examine Livy's account of the foundation of the plebeian version of the cult of the goddess, within his narrative of the third-century social tensions between the patrician and plebeian orders, in the context of elite self-definition and competition for honour within and between different social groupings. Other than Livy's account of a particular moment in the cult's history, we have only two brief references to the existence of shrines to *Pudicitia* by the erotically subversive and satirical poets Propertius (late first century BCE) and Juvenal (early second century CE). This very lack of evidence suggests that the cult of such a virtue was hard to publicise, because of its sensitive nature; the dangers of speaking out about and showing off *pudicitia* will be further explored throughout this chapter.

THE CULT OF *PUDICITIA*

Livy's history, inevitably rooted in its own extraordinary era of transition between republic and imperial rule, and in its own concerns, relates a founding myth that is clearly not so much description of a living cult as fraught reflection upon a cult that no longer flourished. Written in the late first century BCE, it describes the events of one particular year (almost three centuries earlier) that was marked out by an argument that flared up during the public performance of cultic rituals and led to establishment of a second cult of *pudicitia* for plebeian women:

eo anno prodigia multa fuerunt, quorum averruncandorum causa supplicationes in biduum senatus decrevit; publice vinum ac tus praebitum; supplicatum iere frequentes viri feminaeque. insignem supplicationem fecit certamen in sacello Pudicitiae Patriciae, quae in foro bouario est ad aedem rotundam Herculis, inter matronas ortum. Verginiam Auli filiam, patriciam plebeio nuptam, L. Volumnio consuli, matronae quod e patribus enupsisset sacris arcuerant. brevis altercatio inde ex iracundia muliebri in contentionem animorum exarsit, cum se Verginia et patriciam et pudicam in Patriciae Pudicitiae templum ingressam, ut uni nuptam ad quem virgo deducta sit, nec se viri honorumve eius ac rerum gestarum paenitere

³¹ Cf. Fantham's caveats about Ovid's *Fasti* as a source about women's religion (Fantham 2002), Beard, North and Price 1998 vol. I: 6–7.

ex vero gloriaretur. facto deinde egregio magnifica verba adauxit. in vico Longo ubi habitabat, ex parte aedium quod satis esset loci modico sacello exclusit aramque ibi posuit et convocatis plebeiis matronis conquesta iniuriam patriciarum, 'hanc ego aram' inquit, 'Pudicitiae Plebeiae dedico; vosque hortor ut, quod certamen virtutis viros in hac civitate tenet, hoc pudicitiae inter matronas sit detisque operam ut haec ara quam illa, si quid potest, sanctius et a castioribus coli dicatur.' eodem ferme ritu et haec ara quo illa antiquior culta est, ut nulla nisi spectatae pudicitiae matrona et quae uni viro nupta fuisset ius sacrificandi haberet; volgata dein religio a pollutis, nec matronis solum sed omnis ordinis feminis, postremo in oblivionem venit.

In that year [296 BCE] there were many prodigies, and the senate decreed a two-day period of public prayer to avert the troubles; wine and incense were distributed publicly; men and women went to celebrate the rituals en masse. A rivalry that arose among the *matronae* in the sanctuary of Patrician *Pudicitia*, which is in the Forum Boarium near the round temple of Hercules, made this celebration particularly noteworthy. Verginia, the daughter of Aulus, was a patrician woman who was married to a plebeian, the consul L. Volumnius; the *matronae* excluded her from the sacred rites on the grounds that she had married out of the patrician order. A short dispute then blazed from feminine argumentativeness into a full-blown controversy, when Verginia boasted that she, both a patrician and a *pudica*, had entered the temple of Patrician *Pudicitia* as one married to a man to whom she had been given as a virgin, and that she had absolutely no regrets about her husband either in terms of his official positions or in terms of his achievements. She then added to these magnificent words an illustrious deed. In the Vicus Longus where she lived, she shut off part of a building where there was enough space for a smallish sanctuary, and put up an altar here, and having made strong complaints about the injustice perpetrated by the patrician women to an assembly of plebeian *matronae*, she said: 'I dedicate this altar to Plebeian *Pudicitia*, and I urge you that the rivalry for courage that binds the men of this society should exist among women for *pudicitia*, and that you may strive that, if possible, this altar shall be said to be more sacred than the first, and to be cultivated by women who are more chaste.' And this altar too was worshipped with practically the same rites as the more ancient one: no woman had the right to sacrifice unless she was a matron of manifest *pudicitia*, and she had only been married to one man. Later the ceremonies were devalued [*volgata*] by women who were contaminated [*pollutis*], and not only by *matronae* but by all ranks of women, and finally they were completely forgotten (Livy 10.23.1–10).

The whole lifespan of the cult is described within this passage, from uncertain origins to the sealed tomb. The final sentence claims that the cult has by Livy's own time fallen into oblivion after suffering unspecified desecration at some point in its 300-year history. This refrain of the cult's decline will echo in several other sources, and it forms part of a broader narration of moral decline and contemporary inadequacy set out in Livy's

work.³² However, Livy speaks of the original shrine itself, the one in the Forum Boarium, in the present tense, as if this sacred space, at least, still survives in his own day, after the demise of the Republic, although his contemporary readers need to be advised of its location; in this time of upheaval such themes of loss and survival are often in evidence.

Of the practice of the two cults, the actual rituals involved, other than the fact that they are very similar to one another almost nothing is revealed except about the status of those people who are permitted to cultivate the shrine. In this account the participants are all married women, *matronae*, whether patrician or plebeian, and the ritual requirements as reported by Livy place yet further restrictions on the membership of the group: they must be of manifest *pudicitia* and they must have been married only once. This group is also marked out in ritual contexts elsewhere, although the assorted sources do not provide a clear picture of precisely which cults they tended.³³ Several key themes emerge from analysis of the passage and will be discussed in the following pages: the relationship between *pudicitia* and the state of being *univira* (a one-man woman), and the problem of how her commitment to one man can ever be proved of a woman during her lifetime; the related issues of how to display *pudicitia*; the relationship between religion and the institutions of government, and the intersection of the history of the development of state religion with the personal moral duties of Roman individuals; the significance of the conflict between different social classes, the historical moment that is captured in the narrative about the plebeian cult's foundation, and the role of *pudicitia* in helping to define problematic status boundaries in the history of Rome; civic competition for honour, and the direct ethical engagement of women with such competition.

In subsequent chapters we shall see that married women are not the only kinds of people who may possess the quality of *pudicitia* or for whom it is vitally important,³⁴ but the nature of the cult indicates that they have some special relationship with the quality. This special relationship flags the importance of the marital relations between husband and wife in Roman culture. We shall see that Roman sources often represent the idea of a woman having sex with someone who is not her husband as deeply troubling.³⁵ 'He who spoils' (the Latin verb is *adulterare*, 'adulterate') someone else's

³² For a discussion of morality in Livy see Walsh 1961, esp. 46–109, and Chaplin 2000 *passim*.

³³ See discussion of related cults below and Staples 1997.

³⁴ See the end of Chapter 2 below and especially Chapter 6 on the display of *pudicitia* by men in the public sphere.

³⁵ See also Williams 1999, Edwards 1993, and much of this volume.

wife – as adulterer, or, in Latin, *adulter* – is always the villain of the piece. Such a circumstance often evokes a degree of horror and disgust that today might be associated with sexual intercourse with children.³⁶ One anthropological explanation for this attitude to female sexuality is that in a patriarchal society such as that of ancient Rome, secure paternity is important and a husband wants a wife who can only have been impregnated by him.³⁷ In Livy's story about the cult's foundation Verginia boasts that she was a *virgo* (virgin) when she married her husband, that she had had no previous relationship with men. The story places high value on this uncomplicated relationship between husband and wife.³⁸ The structure of the cult places responsibility for the symbolic cultivation of *pudicitia* (and perhaps therefore the relations between husband and wife) in the hands of the married women, rather than those of their husbands. This highlights the women's control of their own sexuality in addition to any external controls that might be imposed on them by the community and by their husband. The regulation of a wife's sexual behaviour is in part driven by her own internalised attitudes. Participation in this cult brings home to the women how important *pudicitia* is and also conveys their virtue to others.

The strictures of the prohibition on those tending the shrine merit closer attention and have been extensively discussed by other scholars, most recently Nicole Böels-Janssen.³⁹ In Livy's account women do not have the right to participate in the cult (*ius sacrificandi*) unless their *pudicitia* is manifest (*spectata*) – has been witnessed and attested – and they have been married to one man only. A range of questions present themselves, some of which – what did it mean to witness *pudicitia*? how could it be made manifest? in what sort of deed was it evident? – are central to Roman sexual ethics and will be recurrent themes of this book. Another set of issues focuses on the required status of *univira* – being a 'one-man woman' – which is usually taken to mean a woman who has married only once.⁴⁰ That this quality was valued among Roman women, including those beyond elite status and throughout the geographical empire, can be seen from the evidence

³⁶ Cf. the discussion of modern 'paedophilia' in the Introduction above, pp. 11–12.

³⁷ However, an interesting feature of Roman kinship structures is the widespread role of adoption, which means that blood line was not always crucial in Roman inheritance; divorce and remarriage also seem to have been common, and in many ways Rome does not conform to conventional ideas about patriarchy, despite the dominance of the *paterfamilias* and the strict control of female sexuality. See Gardner 1998: 114–208, Corbier 1991, Edwards 1993: 49–50, Rawson 1986: 12, Dixon 1992: 112–13.

³⁸ See Treggiari 1991 for marital ideals in ancient Rome, esp. 229–261; cf. Catul. 61, Val. Max. 2.1.3–6, discussed in Chapter 3 below, pp. 126–32.

³⁹ Böels-Janssen 1996.

⁴⁰ See Treggiari 1991: 233–6, Böels-Janssen 1996, Williams 1958, Gardner 1986.

of inscriptions.⁴¹ Why is this a requisite of participants in cult worship of *pudicitia* as a goddess, and what can it tell us about *pudicitia*? The prohibition appears to exclude from the cult all women who have remarried (or been involved with more than one man) whatever their circumstances, even if they have been widowed and their first husband is not alive.

Böels-Janssen's explanation for this prohibition from the cult of women who are not *univirae*, outlined in a thought-provoking article that attempts to reconstruct from the available literary sources the original *lex templi* of the cult of *Pudicitia*,⁴² is that it derives from traditional Roman notions of ritual purity and the risk of contagion through contact with the impure. Central to her argument is the thesis that, at the time when the shrine was founded, the quality of *pudicitia* did not pertain at all to the personal morality of a woman, but only to her physical state. A woman who had had sex with more than one man *for whatever reason* was soiled, and she was prohibited from touching the cult statue because of the risk of contagion from ritual impurity. The argument, in other words, is that the prohibition stems from religious rather than ethical considerations: the temple law does not distinguish a remarried widow from an adulteress or a woman who has been raped; all have lost their *univira* status by having sex with more than one man. Sexual intercourse with a particular man wreaks physical change on a woman; he lays his imprint upon her and afterwards, Böels-Janssen argues, she can never again come to another man as *pudica*.

The denial of the ethical dimension of *pudicitia* rests on a perceived distinction between the concepts of *pudor* and *pudicitia*, according to which *pudor* is a moral quality whereas *pudicitia* describes a physical state. Böels-Janssen argues that *pudor* is a moral term denoting the sense of shame which prevents bad behaviour, whereas *pudicitia* belongs to the physical realm and means purity, the absence of sexual defilement. This, she argues, must be the older, original sense of *pudicitia*, which pertained when the rules of the temple were first laid down. By Livy's time, she suggests, there have been shifts in the meaning of *pudicitia*, and his account adds a new dimension to the cult with the phrase *spectata pudicitia*, which introduces moral criteria alongside the previous criterion of ritual purity.

⁴¹ See Lattimore 1962, Forbis 1990, Treggiari 1991: 233–5, Forbis 1996.

⁴² That is, the inscription which would have been displayed somewhere on the building setting out the formal rules of participation in the cult. Through comparison of Livy's phrase 'that no woman had the right to sacrifice unless she was a matron of manifest *pudicitia*, and she had only been married to one man' (*ut nulla nisi spectatae pudicitiae matrona et quae uni viro nupta fuisset ius sacrificandi haberet*) with that of Festus ('it was a crime to touch the statue', *signum nefas est attingi*) Böels-Janssen concludes that the prohibition read something like this: *ne qua Pudicitiae (aut Fortunae Muliebris) signum tangito nisi quae semel nupta est*: 'Let no woman touch the statue of *Pudicitia* (or of *Fortuna Muliebris*) unless she has been married only once.'

It is salutary to be reminded of the possibility, indeed the inevitability, that the meanings of a term will change over the passing of time. The restriction of the cult to *univirae* may have been a custom which looked puzzling or out-of-date by the time Livy came to write about it, and it may well be mistaken to turn to it for elucidation of the concept of *pudicitia* as it was conceived of in the late Republic.⁴³ I am not wholly satisfied by Böels-Janssen's chronological solution, but she is absolutely right to point out the discrepancies in the way that the term *pudicitia* is used: sometimes it appears to mean, just as she claims, the physical state of being sexually untouched, at other times it seems to describe a moral quality. It is the contention of this book that it is a central concern of Roman sexual ethics to examine precisely this ambiguity of meaning, and the problem of the dislocation between the body itself and the moral purpose of an individual. Much of the source material that I refer to throughout this book engages the reader in just such questions as where in an individual *pudicitia* is to be found and how its presence or absence might be recognised, and in issues revolving around the relation of the moral agent to his or her body.

THE FOUNDATION MYTH

Livy's account portrays the worship of *pudicitia* as fully integrated into the official practices of Roman civic life.⁴⁴ Here it constitutes part of a broader, formal, civic response to national troubles in the year 296 BCE during a period when Rome was engaged in a series of wars in neighbouring regions of Italy. This response, in the form of two days of public celebration of rituals across the city, is instigated from on high by the senate, financed, presumably, from public coffers, and fulfilled by large numbers of men and women. This is a community event and the streets of Rome are thronged with citizens pulling their weight in order to appease the gods and deflect the threatened misfortune.⁴⁵ The communicatory aspect of cult worship is clear – the cultivation of shrines is part of a mutual relationship between the divine and mortal: signs of disapproval are sent from the sky, conciliatory responses are made in Rome, circumstances change for the better.⁴⁶

⁴³ Indeed it has been suggested that Livy's account is designed to make sense of the epithet *Plebeia*, and that in fact he confuses the cult of *Pudicitia* with that of Fortuna Virgo (Wissowa 1971: 257).

⁴⁴ Although strictly it was part of private rather than state religion; see Palmer 1974.

⁴⁵ For the theme of religion in Livy see e.g. Levene 1993: 244: 'Livy centres his treatment of religion around clear moral premises . . . this morality is then consistently linked with divine favour or disfavour and consequent success or failure for Rome', or 77: 'piety is rewarded, impiety punished, and Roman victory guaranteed in advance by the gods'. Cf. Walsh 1961: 46 on the invasion of the Gauls treated by Livy in Book 5 as a disaster caused by Roman failing in the virtues of *fides* and *pietas* and the consequent incurrence of divine displeasure.

⁴⁶ Feeney 1998: 82, Bloch 1963.

The array of divine beings to whom *pudicitia* belongs wield considerable power over the fate of Rome and of her people, and the celebration of the cult is an act of supplication to a goddess which hopes to enlist her support for Rome against hostile forces. ‘Sexual Virtue’, then, is a beneficent power whose patronage the state of Rome needs. She is one of many such powers, yet her role is important, affecting areas of a Roman citizen’s life beyond those directly related to the sexual: politics, military, not to mention such natural phenomena as famine, droughts and floods. Although state religious practice in Rome fragmented into the acknowledgement of many divine beings, every unit was part of a large organic whole, in which every aspect of public life, state and community was implicated. Of particular interest here is the fact that Livy portrays the Romans as a community considering the quality of *pudicitia* to belong to this public realm.

The narrative belongs to two of the broader politico-historical narrative strands of Livy’s history: first, the gradual accretion and development of Roman religious practices and second, the so-called ‘Struggle of the Orders’ between the plebeian and the patrician classes. The women who initially celebrate the cult are all patrician and they ban Verginia from tending the shrine alongside them on the grounds that she has forfeited her patrician status through her marriage to a plebeian man, albeit one of high rank – indeed a consul. Livy binds the story of their dispute and the establishment of the new cult into a wider narrative about the conflict between the old power of the patricians and the emerging demands of the plebeians, which results in gradual expansion of plebeian franchise.⁴⁷ Participation in rites is an important way of establishing and proclaiming political and social status, as this account suggests. Other related cults, such as those of Fortuna Muliebris and Venus (also celebrating the quality of *pudicitia*), seem to have had similar associations with this overarching narrative of political conflict and change.⁴⁸

Healthy competition is an important aspect of the tale. Livy calls the original dispute in the temple of *Pudicitia* a *certamen* (competition) and a

⁴⁷ For more on this see the following chapter, where another key Livian narrative or *exemplum* that treats the subject of *pudicitia* will be discussed. This story not only has a central protagonist of the same name – Verginia – but also constitutes a turning point in Livy’s narrative of relations between patrician and plebeian. The patrician Appius Claudius’ attempted abduction of the plebeian virgin Verginia, dramatically thwarted by her father, precipitates the overthrow of the decemvirate and the restoration of the post of tribune of the plebs, the magistrate who represents the plebeian masses and gives them a voice among the ruling bodies.

⁴⁸ See Palmer 1974, Staples 1997, Böels-Janssen 1996, especially on Fortuna Muliebris and cults of Venus.

contentio animorum (contest of minds), initially between Verginia and the other patrician women. Verginia's inaugural speech to the plebeian women emphasises a rich network of competitive relations. The women of Rome must take up the challenge of the men, among whom there is supposed to have flourished a tradition of rivalry in the field of *virtus* (military courage and moral excellence) which is extensively documented by Livy and his contemporaries.⁴⁹ While the men compete among themselves to be the most virtuous, the most courageous, to be considered endowed with the greatest *virtus*, the *matronae* whom Verginia addresses are urged to compete among themselves for *pudicitia*. Lastly, Verginia hopes that this competition among the plebeian *matronae* will result in an excellence in *pudicitia* that will lead the high repute of the plebeian shrine to outstrip that of the *original* patrician shrine: they should strive that the altar may be considered more sacred and the women themselves thought to be the chaster.

Three hundred years after the events which he purports to relay, Livy is portraying the public cultivation of the goddess' shrine as the complement of the personal cultivation of the moral quality by the women who tend it. Just as the shrine must be sacred (*sanctus*) and seen to be sacred, so the women must themselves be pure (*castae*)⁵⁰ and seen to be pure. Livy's first-century BCE text suggests an intimate connection between ritual practice and moral life, between the public face of the cult and the personal ethics of its celebrants outside the ritual time and space. It also suggests that the cults were concerned to engage with the women as ethical subjects, in parallel with men. Verginia's words imply that *pudicitia* is one virtue in particular with which women were engaged, and that the field of sexual ethics is a particular space within Roman ethics marked out for women. More puzzlingly perhaps for a reader who comes with a prejudice that *pudicitia* equals 'chastity', the speech suggests that *pudicitia* is a quality of which there are degrees and in which it is possible to compete.

How women behave within their marital relations, how they are seen to conduct themselves is not, in the terms of this passage, a personal moral issue as we might understand it today: a matter for the conscience of the individual, with repercussions for the immediate family and friends only. Rather it is intimately bound up with the civic and religious duty of the individual, and with the wellbeing of the community as a whole.

⁴⁹ For instance, the narrative immediately preceding this in Livy's work relates the competition between the generals Appius and Volumnius that spurs on the Roman army to compete against itself for victory and to rout the enemy easily (10.19.18–19). Men who saved another's life in battle were awarded a *corona civica* (see Oakley 1998).

⁵⁰ For the significance of the terms *castus* and *sanctus* see the Introduction above, p. 30.

The cult enables the public celebration of the quality of *pudicitia*, and in itself provides a medium through which women can parade their individual endowment with *pudicitia* before the community. Livy's foundation myth holds up Verginia as illustrious exemplar because she speaks out and acts on behalf of the plebeian order despite being herself by birth a patrician. Her deed is also lauded because she makes a public show about the importance of *pudicitia* to society, and the importance of being associated with the quality for individual women. The story underlines the fact that participation in public cults is (or rather *was* in an idealised past) an essential part of belonging and contributing to society in general. Verginia is furious at being excluded from the cult by the other patrician women because it is a social snub, but also because it deprives her of a formal space in which to act out her *pudicitia* for all to see. Exclusion from the cult leaves a *pudica* woman without a means of celebrating, and thereby making sense of, this state. By her subsequent actions she provides such facilities for plebeian women throughout the city too. With a cult of their own they may participate fully in this important aspect of cultural life, in the mediation of the relationship between human and divine, and the maintenance of the health of the Roman state. *Pudicitia* helps both to mark distinctions between women of different status, and to integrate the plebeians into the community.

The story speaks to the ethical subjectivity of women. The women maintain their own moral standards and regulate their own behaviour (or at least send messages to others about such standards and behaviour) with reference to public celebration and to the gods. Livy also makes clear that this pleasing system is no longer operating; the cult is no longer tended. The cult lost its exclusivity and was infiltrated by all kinds of women – women who were not *matronae* – and is now gone. Yet this very retelling of its foundation serves to an extent to resuscitate some of the functions of the cult; this story emphasises the importance of *pudicitia*, among other things, and portrays women as having control over their own morality.

That there was felt to be a close association between religious cult and personal ethics is clear, the nature of the association less so. The ethical significance of the shrine is underlined by references to it by Propertius and Juvenal. The poems alluding to the shrine both draw clear links between the celebration of the cult and treatment of the shrine on the one hand, and the maintenance of standards of social and sexual behaviour of individuals generally on the other.

Propertius mentions the shrine in elegy 2.6, in which he is lamenting the moral state of the girls of his day and in particular that of Cynthia, about whom much of his love poetry has so far obsessed. The poem begins with Cynthia described as super-courtesan welcoming all comers, and ends with her described as faithful wife.⁵¹ Linking these opening and closing images are the paranoid jealousy of the poet and his notion that girls are sexually corrupted by the pictures of sexual intercourse that surround them in the domestic setting, which we might justifiably identify as the kind of paintings that have been preserved on walls of buildings in Pompeii.⁵² These two elements of the poem evoke the tensions between two recurrent features that fire the passion of elegiac poetry: the context of sexual licence and the possessiveness of the lover.⁵³

Propertius begins by evoking Cynthia's promiscuity; her house is thronged with men so that in her welcome she outstrips even the renowned Greek courtesans Lais and Thais and Phryne (lines 1–6). This image is undermined as we realise that we are looking through the distorting lens of the gaze of the jealous lover; even the slightest, most innocent thing can send Propertius into agonies of jealousy, as his imagination manufactures grounds for suspicion (7–14). This kind of tormented lust and jealousy, the poem continues, has been the cause of trouble before, and we move from Helen, whose beauty and fickleness precipitated the Trojan war, through the Centaurs' brutal disruption of the Lapith wedding, to Rome itself: right from the start the very founder of Rome, Romulus, sanctioned unprincipled lust when he organised the abduction of the Sabine women to make wives for Roman men. Since the beginning of Roman time, love does what it likes (15–22). Then the poem asks:

templa pudicitiae quid opus statuuisse puellis
si cuius nuptae quidlibet esse licet?

What is the point of having established temples to *pudicitia* for girls
If a bride is allowed to do whatever she likes? (Prop. 2.6.25–6).

Behind Propertius' question lies the assumption that the point of the establishment of the temple is to place constraints upon *nuptae* (brides or married

⁵¹ Critics have long argued about whether *puellae* are respectable married women or courtesans; this ambiguity is part of the fun of the genre of Roman love elegy, which plays with ideas about the status of women, as we shall see in Chapter 4. See Lyne 1980 on the provocative use of marriage terminology by Propertius, with reference to this couplet; Wyke 1989 on *scriptae puellae*.

⁵² On such paintings and issues involved in interpretation see Clarke 1998; on their possible relationship with Roman love poetry see Myerowitz 1992 and Fredrick 1995.

⁵³ See further Chapter 4 below, pp. 196–7.

women). Cultivation of the shrine is related to preventing women from doing as they please, and curtailing the sexual licence of Rome established by Romulus' actions.⁵⁴ However, that connection seems to have weakened: the shrine is not managing to play that role. Moreover, the girls have been exposed to a competing medium, the erotic pictures that appear in domestic interiors.⁵⁵

The next pertinent lines seem to elaborate on this idea and re-establish a connection between the (abandoned) cult and abandoned ethics:

sed non immerito! velavit aranea fanum
et mala desertos occupat herba deos.

But it is not undeserved! cobweb covers the shrine,
and weeds occupy the deserted gods (Prop. 2.6.35–6).

Whether the reference is to gods and religion in general, or more specifically to *pudicitia* itself, is uncertain, as is the position of the lines in the poem, and the appropriate punctuation of the first line of the couplet.⁵⁶ However, there is a clear link between the worship of a divinity through cult and the behaviour, *mores*, of Roman women.⁵⁷ It is not so much that one causes the other, but that the two are mutually reinforcing; part of the behaviour inspired by *pudicitia* is the tending of the cult of the personification; this commitment to the cult in turn strengthens *pudicitia* as a force in society and as a divine force guarding over society, further inspiring individuals within society.

Propertius locates the shrine in the distant past, but he also locates sexual licence right at the beginning of Rome's history and the corruption of women far in the past as well. There is no logical chronological sense to be found in this poetic evocation of Roman sexual *mores*; the opposing forces are tangled up together in the past. Propertius is deliberately problematising a simple chronological account of moral decline, and his own account makes it harder to differentiate between wrongful and rightful sexual behaviour. Lust is embedded in Rome's history and identity, and Romulus, the role model and heroic founder of the city, encourages men not to resist their libidinous urges. The shrine of *pudicitia* is associated with female sexual ethics, but it is only one of a range of competing media, and fails to regulate sexual behaviour authoritatively. Propertius tells a different story from that

⁵⁴ The married women's behaviour is a verbal echo of the behaviour of the erotic force himself, Amor, a couple of lines earlier, who, as a result of Romulus' abduction of the Sabine women, may now dare whatever he likes in Rome: *per te nunc Romae quidlibet audet Amor*, 'because of you [i.e. Romulus], Love now dares whatever he likes in Rome' (2.6.21–2).

⁵⁵ See note 52 above. ⁵⁶ On the textual issues see Camps 1967 ad loc.

⁵⁷ On the link in Roman thought between moral decay and the decay of the fabric of the city see Edwards 1996.

of Livy; there have always existed lust and sexual licence in Rome, and it is possible to think that the shrine has never, at any point in its history, been entirely successful in its moralising intentions: resistance to its prescriptions has always been part of its history too.

Meanwhile, Juvenal's sixth satire embellishes the long-running ancient literary trope about divinity and virtue leaving the mortal world to which Propertius alludes.⁵⁸ This lengthy diatribe opens with his claim that *pudicitia* herself has long ago abandoned the mortal realm, and that her departure has left moral chaos in its wake, and depicts the sordid consequences of the goddess *pudicitia*'s abandoning the mortal world: sexual immorality to a grotesque degree among married women. The poem is addressed by its satiric narrator to Postumus, apparently to warn him against marriage, and seems to be an extensive poetic version of a rhetorical set piece on whether or not a man should marry. The running joke of the poem, as Susanna Braund has argued, is the invocation of traditional morals to support a case that appears to be in fundamental opposition to those morals – i.e. the case against marriage.⁵⁹ Halfway through the poem, reference is made to the shrine of *pudicitia*, and Juvenal's satirical pen depicts a shrine that has not merely been abandoned, but is even the object of crude and unpleasant abuse by the women of Rome:

i nunc et dubita qua sorbeat aera sanna
 Maura, Pudicitiae veterem cum praeterit aram,
 Tullia quid dicat, notae collectea Maurae.
 noctibus hic ponunt lecticas, micturiunt hic
 effigiemque deae longis siphonibus implent
 inque vices equitant ac Luna teste moventur,
 inde domos abeunt: tu calcas luce reversa
 coniugis urinam magnos visurus amicos.

Now go and ask yourself why Maura snorts the air derisively
 When she passes by the ancient altar of *Pudicitia*,
 What Tullia says, the foster sister of notorious Maura.
 At night here they set down their litters and here they urinate
 And cover the statue of the goddess with their long squirts,
 And they take turns to ride each other and move with the moon
 as their witness
 And then they go home: at dawn you tread in your
 Wife's urine on your way to see your patrons (Juv. 6.306–13).

⁵⁸ Greek precedents for this topos are Hes. *Op.* 197–201 (on *aidos*) and Aratus *Phaenomena* (*dike*); see Braund 1992 for further references.

⁵⁹ This is the interpretation of Braund 1992.

Women urinate against the very effigy of the goddess and (although the text is unclear) take part in transgressive sexual practices,⁶⁰ demonstrating their contempt for the deity and all that she stands for.⁶¹ These are married women – the parting shot of this vignette is to suggest that the addressee may end up paddling through his own wife's urine as he sets off for his patron's house on the following morning.

In Juvenal's depiction, *Pudicitia* has left the mortal realm in disgust at its immorality, but her going also has a further deleterious effect upon the mortals that she leaves behind; there is mutual reinforcement between cult and ethical behaviour. Likewise, in order to indicate their extreme immorality, the women direct their disrespect for *pudicitia* against the goddess' shrine and statue; their behaviour represents wilful perversity and perversion that wants to get itself noticed, rather than ignorance and neglect of traditional morality. Such barefaced grotesquery is typical of the way that sources of this imperial era (late first and early second centuries CE) depict Roman engagement with the quality of *pudicitia* and traditional Roman morality generally.⁶² Juvenal's satire trumpets its heavy, moralising framework from the start, but spends its time showcasing an enthralling series of tableaux in which *pudicitia* is deliberately discarded and vandalised; the very moralising calls attention to the fact that the poem is itself pissing on *pudicitia*.

The cult of *pudicitia* was certainly for both Propertius and Juvenal a useful way of talking about sexual virtue among mortals. Indeed, in both passages the treatment of the cult serves as a reification of the morals of married women. Both sketch a contrast between a morally upright past and a morally corrupt present. Both are subversive and humorous genres (of which more in Chapter 4). In both cases, the ethics in question are those of women; it is their behaviour that the deity should be guiding, they whose morals are corrupted by looking at the paintings on erotic themes. Women are depicted as moral agents who should learn correct behaviour but who instead fail or deliberately disregard moral guidance, or are corrupted and led into sexual immorality.⁶³

⁶⁰ Cantarella 1987: 157 describes them as practising 'homosexual love', although it is not clear whether it is each other that they are riding or the statue of the goddess herself; the latter would be particularly shocking. Cf. Adams 1982: 165–6 who says that they take turns to ride one another.

⁶¹ 'The women's attitude to *Pudicitia* indicates graphically their views on marriage and fidelity', Braund 1992: 75.

⁶² See further Chapters 4 and 7 below.

⁶³ For more on the nature of these texts and how they might contribute to Roman ethical discourses see Chapter 4 below.

All the sources discussed so far describe the cult in terms of its being over, and take this as a sign of moral decline, participating (in their own ways) in a widespread Roman discourse of the degenerate present which permeates texts from the earliest times.⁶⁴ Where *pudicitia* is concerned, however, this claim is also telling us something about the precariousness of the quality of *pudicitia*, which is always at risk, whether from pollution, oblivion, neglect or abuse. As far as the consequences of the cult's failure to survive go, Livy does not elaborate, Propertius focalises the faithlessness of women through the eyes of a jealous lover, and Juvenal through the eyes of an angry satirist.

Let us now return to the theme of public display of virtue and women's honour. In Livy's myth of the founding of the cult of plebeian *pudicitia*, national crisis leads to competition between women for honour in *pudicitia*, and thence to cultic innovation. This pattern is repeated in a variety of ancient sources with reference to other cults and religious innovations; in fact key moments of emergency in Roman history are often marked by incidents involving the intersection of female sexuality and state religious practice. Livy tells us (8.18.1–11) that in 331 BCE there was a scandal involving the poisoning of several leading men of the community by their wives, which may, according to one scholar, have been the stimulus for the founding of the cult of *pudicitia* for patrician women;⁶⁵ the establishment of a temple to Venus Obsequens in 295 BCE (the year after the dedication of our shrine to *Pudicitia Plebeia*) is described as a response to an adultery scandal of that year, with Fabius Gyges financing the building from the fines of the immoral women; the dedication of a statue to Venus Verticordia in 220 BCE and the introduction into Rome of the goddess Cybele in 205–4 BCE are both the results of demands associated with the regulation of female sexuality made by the Sibylline books in response to national crises. The ancient sources, by retelling versions of this 'crisis/female sexuality/religious innovation' story, are re-enacting such responses in order to underline the importance of maintaining control over female sexuality. This [next section](#) will look more closely at two such versions – those of Venus Verticordia and of Cybele – both of which pertain to sexual ethics and which are interpreted by the ancient sources through the same interlocking themes of women's *pudicitia*, national crisis and competition that we have identified in Livy's account of the founding of the cult of *pudicitia*.

⁶⁴ See Edwards 1996 for an analysis of this discourse.

⁶⁵ See Palmer 1974: 122 for this suggestion and the comment that the women's behaviour is represented as analogous to an uprising of the plebs, locating this tale too in the context of the Struggle of the Orders.

Venus Verticordia was a particular manifestation or aspect of the Olympian goddess Venus, whose role was to turn the hearts of women away from sexual vice – hence her epithet Verticordia or ‘Heart-Turner’.⁶⁶ The consecration to her of a statue (dated to 220 BCE) was said to have been in response to the prescriptions of the Sibylline books.⁶⁷ Once again the context is state-organised religious practice designed to inculcate sexual virtue among Roman females (not just *matronae* this time, but virgin girls too), which in turn will contribute to the wellbeing and protection of the Roman state. The consecration of the statue to the divinity was preceded by another competition amongst Roman *matronae* for the title of the most sexually pure. The accounts of the introduction into Roman civic life of Cybele (also known as the Great Mother, the Mother of the Gods), in 205–4 BCE, contain similar elements.⁶⁸ Public acknowledgement of outstanding sexual purity in a woman (also in relation to ritual purity) is likewise a key feature of the tradition and the context is again formal cult practice organised by the senate, involving incorporation of a cult from abroad into the Roman cultic network.

Pliny the Elder pairs the two stories in his encyclopaedia:

pudicissima femina semel matronarum sententia iudicata est Sulpicia Paterculi filia, uxor Fulvi Flacci, electa ex centum praeceptis quae simulacrum Veneris ex Sibyllinis libris dedicaret, iterum religionis experimento Claudia inducta Romam deum matre.

Once upon a time Sulpicia, daughter of Paterculus and wife of Fulvius Flaccus, was judged in the opinion of the *matronae* the most *pudica* woman, chosen from a selection of a hundred as the one who would dedicate the statue of Venus according to the Sibylline books; again, in a trial of religion, Claudia [was judged most *pudica*] when the Mother of the Gods was brought into Rome (*Nat.* 7.120–1).

Note that his brief account focuses on the two named women who emerge from the process of selection as the best of their cohort, Sulpicia and Claudia. The word *iterum* (again) draws a strong comparison between

⁶⁶ Although for a different account of the etymology see *Ov. Fast.* 4.160, discussed below, p. 66. On this see also Fantham 2002: 36 n. 42, for the very plausible suggestion that Ovid’s is a deliberately unconventional reinterpretation of the epithet.

⁶⁷ A coin from 46 BCE with a depiction of the goddess carrying scales and accompanied by Cupid can be found at Crawford 1974: 463a. Cf. *Ov. Pont.* 3.1.115–18, 4.13.29 (Livia), discussed at the end of Chapter 7 below.

⁶⁸ The sources which deal with introduction of the cult of Cybele or the Great Mother into Roman civic life (some of which are discussed below) have been the focus of considerable scholarly attention. See e.g. Wiseman 1979, Wiseman 1985, Stehle 1989, Fantham 1998: 153–4, Beard, North and Price 1998, vol. II: 43–9.

the two stories and Pliny dwells on the *assessment* of the women's virtue – by their peers or through a test – as their key aspect.

Valerius Maximus relates the story of the consecration of a statue to Venus Verticordia as part of a chapter about 'individuals who won glory for themselves' (*quae cuique magnifica contingerunt*), and the focus of the tale is again Sulpicia, chosen to consecrate the statue of the goddess by a select board of Roman women on the grounds of her outstanding *castitas* (which we can understand here as both sexual and ritual purity).⁶⁹

merito virorum commemorationi Sulpicia Ser. Paterculi filia, Q. Fulvi Flacci uxor, adicitur. quae, cum senatus libris Sybillinis per decemviros inspectis censusset ut Veneris Verticordiae simulacrum consecraretur, quo facilius virginum mulierumque mens a libidine ad pudicitiam converteretur, et ex omnibus matronibus centum, ex centum autem decem sorte de sanctissima femina iudicium facerent, cunctis castitate praelata est.

To the commemoration of men deserves to be added the tale of Sulpicia (daughter of Servius Paterculus and wife of Q. Fulvius Flaccus). When the senate had decreed, after the Sibylline books had been consulted by the decemviri, that a statue of Venus Verticordia should be consecrated so that the minds of virgins and of women should more easily be turned away from lust towards *pudicitia*, from all the women a hundred were chosen, and from the hundred ten picked by lot to make a judgement about who was the most morally pure (*sanctissima*) of women; she outshone all in chastity (*castitas*) (Val. Max. 8.15.12).

Once again the passage portrays the senate as instrumental in the establishment of the cult, and emphasises the importance of *pudicitia* to the state as a whole. Valerius interprets the role of the goddess among the Roman people as influencing the ethical core (*mens*) of each female citizen, whether virgin or wife,⁷⁰ and as turning her away from *libido* (or lust) and towards *pudicitia*. The passage elucidates the ethical function particularly clearly: cult helps to direct the minds of citizens away from vice and towards virtue. We may note that when, as here, *pudicitia* is directly contrasted with *libido*, it must be interpreted as a moral force rather than purely as a physical state. It is explicitly the *mens* (mind) of the women on which the goddess must work, and this Latin term describes the moral core of an individual's being – the subjective experience, moral disposition, active intellectual engagement, and moral source. The epithet Verticordia implicitly derives from the idea that the heart (*cor*) is the seat of subjective experience and wisdom. Once again, women are portrayed as moral agents whose moral disposition must be shaped (separately from men) by the formal structures of society.

⁶⁹ See above (Introduction, p. 30) for the term *castitas*.

⁷⁰ On the importance of *pudicitia* for unmarried virgins see below Chapter 2, pp. 98–102, cf. 208–9.

This *exemplum* appears in a chapter devoted otherwise to the glories of men, as the introductory link suggests, so that *pudicitia* is implied to be the female equivalent of the civic qualities manifested in the men, and her role in the consecration of the statue the equivalent of the honours bestowed on the men of the chapter.⁷¹ The theme of the chapter is the rewards that virtue can reap – public honour and distinction – and Valerius introduces the chapter by suggesting how pleasurable to read are such stories where good deeds are justly rewarded. The didactic purpose of drawing attention to such a phenomenon is clear: the anticipation of honour and recognition by the community is a spur to the pursuit of moral excellence.

Earlier in the same chapter we also find the story of the introduction of Cybele to Rome, again with the element of competition within the community for moral excellence. However, in this version of the tale the person chosen as the best to represent the city is not Claudia (as it was in Pliny's version), but a man: Scipio Nasica.

rarum specimen honoris Scipione quoque Nasica oboritur: eius nam manibus et penatibus nondum quaestori<i> senatus Pythii Apollinis monitu Pessinunte accersitam deam excipi voluit, quia eodem oraculo praeceptum erat ut haec ministeria Matri deum a sanctissimo viro praestarentur. explicata totos fastos, constitue omnes currus triumphales, nihil tamen morum principatu speciosius reperies.

A rare specimen of honour appears in Scipio Nasica too; for, when he was not yet quaestor, the senate wanted the goddess who had been summoned from Pessinus by a warning from the Pythian oracle to be received by his hands and by his household gods, because the same oracle had laid down that this service towards the Mother of the Gods should be discharged by the most morally pure (*sanctissimus*) man. Unroll all the almanacs, consider all the triumphal chariots – you will find nothing more splendid than moral pre-eminence (*morum principatu*) (Val. Max. 8.15.3).

The similarities between this *exemplum* and that of Sulpicia towards the end of the chapter are evident: they are both members of their community who are judged by others to be pre-eminent in the quality of *sanctitas* (*de sanctissima femina, a sanctissimo viro*), and chosen therefore to perform an

⁷¹ In many of the preceding eleven *exempla* in the chapter the recognition (by senate or people) involves the bestowal of political office such as the consulship (sections 1, 4, 5, 8); sometimes the protagonist earns some lasting memorial – a statue or portrait in a central location (1 and 2), an honorific name (5), a senatorial decree setting up the man as a model governor (6); at others the reward is merely a moment of acclaim (7, 9, 10). In most cases the virtues celebrated are those manifested in the exclusively male roles of military commander or magistrate. However, Q. Scaevola is described as governing Asia *tam sancte et tam fortiter* – ‘with such moral purity and such strength’ – where the virtues of bravery stand proudly side by side with those of abstinence (8.15.6, and compare the people's appreciation of Cato's resistance to the lure of silver and gold at 8.15.9). These *exempla* also look back to Book 4 of the same work – see further Chapter 3 below for resistance to the temptations of sex and wealth.

important religious role on behalf of that community.⁷² Sulpicia's virtue and the honour that it accrues are not portrayed here as exclusively or specifically associated with women.⁷³ However, although her status and glory minutely parallel those of Scipio Nasica, only in her story is the religious phenomenon thereby inaugurated said to have explicit moral implications for others in society.⁷⁴

TRADITIONAL HONOURS

We have now read a variety of versions of traditional narratives in which the assessment of maternal *pudicitia* is related to the founding of cults. There are also sources that refer in other contexts to the idea of public competition between women in the field of sexual virtue. For instance, Valerius Maximus writes of an ancestral custom of bestowing public honours upon women who are judged outstanding on the basis of sexual virtue. Just like the contests of virtue of Verginia or Sulpicia, these honours explicitly parallel the civic and military honours traditionally accorded to men.

quae uno contentae matrimonio fuerant corona pudicitiae honorabantur; existimabant enim praecipue matronae sincera fide incorruptum esse animum qui depositae virginitatis cubile egredi nesciret, multorum matrimoniorum experientiam quasi legitimae cuiusdam intemperantiae signum esse credentes.

Those women who had been content with one marriage used to be honoured with a crown of *pudicitia*; for our ancestors considered that the mind of a *matrona* was particularly uncorrupted, with the bond of fidelity unbroken, when it did not know how to leave the bed on which her virginity had been laid down, believing that the experience of multiple marriages was a sign of more or less legalised intemperance (Val. Max. 2.1.3).

This honour, in the visible form of a crown of *pudicitia* given to women who marry only once, once again associates *pudicitia* with a single marriage. It suggests, more explicitly than the proscriptions on participants in the cult

⁷² For the term *sanctitas* see Introduction, p. 30 above.

⁷³ In the Greek historian Diodorus Siculus' account of Cybele's induction (34/35.32.3) the role is taken by the best of men and the best of women together: the woman in this case is named as Valeria. There is no mention in this account of sexual virtue in particular.

⁷⁴ See also Cic. *Har. resp.* 27: 'Urged by this same prophetess [the Sibyl], once upon a time, when Italy was worn out by the Punic War and harassed by Hannibal, our ancestors received these rites from Phrygia and brought them to Rome. The man who welcomed them, P. Scipio, was judged the best [*optimus*] of all the Roman people, and the woman, Claudia Quinta, was thought the most chaste [*castissima*] of the matrons; your own sister is held to have imitated her ancient austerity most admirably.' The passage is addressed to Clodius, and ends with a sarcastic reference to his sister Clodia. For more on this family's association with *pudicitia* and *impudicitia* see further Chapter 6 below, pp. 298–305.

of *pudicitia* itself, that it is the state of being *univira* – once-married – that provides evidence of a woman's possession of the quality of *pudicitia*. What is more, Valerius does expand upon the reasons for this honour and the value of being an *univira*, as he lays out in his long coda his version of antique attitudes.

We must read this passage cautiously (the implications of this will be more fully explored in Chapter 3). Firstly, in this second volume of his work, Valerius is playing the antiquarian, the moral archaeologist, turning up for readers of his own day the traditions and moral outlook of old. As in the case of cult, we must not make the mistake of assuming that this is a straightforward description of Roman practice. Indeed a plausible suggestion has been made that this passage in Valerius represents a confusion on his part, where he has mistaken the traditional crowning of the cult statue with an honorific ritual in which crowns are bestowed on women.⁷⁵ In addition we may note that Valerius feels a need to explain the custom to his readers, as though its significance would not be immediately transparent in the first century CE either. The passage represents the depiction and interpretation of a past that may never have existed, but is felt to be in some way significant in Valerius' present. It is no straightforward description either of the *mores* of Valerius' own day or of the ancestral *mores*; rather, the passage is a creative interaction between conceptions of both, that invokes the familiar notions of competition and public honour and the superior virtues of the past.

Just as in Livy's account of the founding of the plebeian cult of *pudicitia* Verginia appeals to the fact that she came to her husband's bed as a virgin, so Valerius Maximus represents the loss of virginity as a key concern of the ancients in determining *pudicitia*. The sign of a woman's *pudicitia* is her commitment to the bed itself in which her virginity was lost and her sexual life first developed, even when that bed can no longer provide her with sex (after her husband is dead). The marital bed as a physical representation of the marriage itself is a notion deeply engrained in ancient cultures. The best-known and paradigmatic depiction of this in literature is the bed of Penelope and Odysseus in Homer's *Odyssey*, which is fashioned from a living tree and eventually provides the key to their reconciliation.⁷⁶

Valerius' passage suggests that a girl's first sexual experience, through which a change is effected in her that can never be undone or repeated, should bind her in a particularly strong and admirable bond with her sexual

⁷⁵ Böels-Janssen 1996: 53. On Valerius Maximus see further Chapter 3 below.

⁷⁶ *Od.* 23.177–232. For the marriage bed as symbol of the erotic experience within marriage see Kaimio 2002.

partner and the bed where it took place.⁷⁷ The admiration he elsewhere expresses for the conduct of the married couple Antonia and Drusus, who are the protagonists of another paradigmatic Roman moral tale, underlines this. The first part of the story repeats the tradition that the glorious Drusus Germanicus ‘confined his sex life to his wife’s embrace alone’ (*constitit usum veneris intra coniugis caritatem clausum tenuisse*); his constancy is repaid when after his early death his eligible young widow chooses to remain faithful to his memory and never to remarry:

Antonia quoque, femina laudibus virilem familiae suae claritatem supergressa, amorem mariti egregia fide pensavit; quae post eius excessum, forma et aetate florens, convictum socrus pro coniugio habuit, in eodemque toro alterius adolescentiae vigor exstinctus est, alterius viduitatis experientia consenuit.

Antonia too, a woman who surpassed in praise the fame of the male members of her family, balanced the love of her husband with her exceptional commitment to him. After his death, though she was in the flower of her youth and beauty, she continued to live with her mother-in-law rather than with a new husband. In the very same marriage bed where was extinguished the vigour of Drusus’ adolescence, grew old the trials of widowhood (Val. Max. 4.3.3).

Antonia’s refusal to countenance a second husband is described here as exceptional – as is the fact that Drusus has sex with no one except his wife. The implication is that most young widows would be expected to remarry; Antonia’s, then, is an extreme manifestation of commitment to one’s spouse (indeed in contrast Tiberius, to whom this work is addressed, had already been conceived by his mother’s previous husband when she remarried). Whether her story too is intended to stand as an *exemplum* of sexual continence is unclear. That is the theme of Valerius’ chapter, certainly (it will be discussed in more detail in Chapter 3 below), and we are clearly meant to read Drusus’ behaviour as embodying the strength of mind to resist other sexual temptations to which most men would succumb. Antonia’s response may be read rather as a digression – perhaps even an indication of the rewards that such behaviour on the part of a husband might reap in terms of wifely fidelity. However, there must be more than a suggestion that in refraining from remarriage Antonia is depriving herself of an erotic life, that she too might be tempted by the promise of (legitimate) sexual activity, but has the strength of mind to pass it by.

⁷⁷ Compare Fanny Hill’s sadness at leaving the inn where she had lost her virginity to her lover: ‘I cannot say but I left with regret, as it was infinitely endeared to me by the first possession of my Charles and the circumstances of losing there that jewel which can never be twice lost.’ (John Cleland, *Fanny Hill or Memoirs of a Woman of Pleasure* (1748), in the Oxford World Classics edition of 1985: 70). Although she has already been sexually ‘broken in’ by a madam and is destined to become a whore and a courtesan, this passage exposes Fanny’s innate virtue and is designed to remind us of the faithful wife to Charles that she might have been had circumstances allowed.

A passage from Tacitus' *Germania* where he discusses the effects of the German custom of virgin marriage may offer us further insight into the importance of the first sexual experience of a girl:

melius quidem adhuc eae civitates, in quibus tantum virgines nubunt et cum spe votoque uxoris semel transigitur. sic unum accipiunt maritum quo modo unum corpus unamque vitam, ne ulla cogitatio ultra, ne longior cupiditas, ne tamquam maritum sed tamquam matrimonium ament.

It is even better in those states where all brides are virgins, and the wife's hopes and prayers are dispatched with once and for all. Then they accept one husband just as they accept one body and one life, so that they may think of nothing beyond this, and have no further desire, and may love not so much their husband as marriage itself (Tac. *Germ.* 19.2).⁷⁸

As an inexperienced virgin, a new wife has no comparative experience of other men that might be brought to bear on her expectations of this marriage, no ambitions for herself beyond this one relationship. When no alternatives are conceived of, the bond to her husband and to the marriage is the surer.

All this – the preservation of the marital bond, the restriction to the marital bed even after death – makes perfect sense as a sign of *pudicitia* governing a married woman. Yet it is troubling that in these circumstances the virtue can only ever be made manifest when its importance is no longer paramount: after the actual living marriage has been ended by the death of the husband.⁷⁹ After he has died, a wife's refusal to leave her husband's bed or to contemplate embarking on a relationship with a new man may certainly be read as a testament to her commitment to her only marriage (especially when she is young and beautiful and in demand), but this is only possible in retrospect. So how can a man tell whether his wife is committed to their relationship while he is still alive? None of our texts suggests that a woman may only be counted among the *univirae* once she is a widow, nor that she cannot be considered *pudica* until after her husband's death. There must therefore (and inevitably) be other ways of judging *pudicitia*, and perhaps other reasons for labelling a married woman *univira*.

We need then to apply more pressure to this idea of *pudicitia* as 'manifest', as enshrined in the cult's requirement that those who tend it should be of *spectata pudicitia*.

⁷⁸ See Chapter 7 below (pp. 321–9) for a full discussion of this passage and its relevance to Roman sexual mores.

⁷⁹ In addition, in a culture with such a high death rate among both spouses and children, the decision of a still fertile widow not to remarry comes at a considerable demographic cost. For the argument that despite the idealisation of the *univira* state remarriage was the norm see Bradley 1991: 156–76.

APPEARANCE AND REALITY

A strand in the story of Cybele's introduction to Rome that emerges only in the late first century BCE (notably in the works of Livy, Propertius and Ovid)⁸⁰ highlights the difficulties involved in reading the signs of *pudicitia*. This is the version of the tale that has Claudia Quinta acquire an unjustly sullied reputation in the eyes of the community and eventually prove her *pudicitia* through her role in welcoming the goddess into Rome (Pliny's 'trial of religion' is an allusion to this feature of the tradition).⁸¹ Into the story are introduced the notions of the importance of *fama* and the idea of deceptive appearances that complicate matters considerably, and raise some of the issues at the heart of Roman *pudicitia*.⁸² Livy's account does not dwell on this aspect of the narrative, but he does mention it briefly:

matronae primores civitatis, inter quas unius Claudiae Quintae insigne est nomen, accipere; cui dubia, ut traditur, antea fama clariorem ad posteros tam religioso ministerio pudicitiam fecit.

The foremost *matronae* of the community received the goddess; among them Claudia Quinta is the only one whose name is famous. It is said that her reputation had been until then dubious, but through such a pleasing service to the gods it rendered her *pudicitia* more illustrious among generations to come (Livy 29.14.12).

Livy's manner of reference alerts us to the complexities of an evolving tradition.⁸³ This is however portrayed as a key moment in Rome's history,⁸⁴ and one that is once again associated with a woman's publicly acknowledged excellence in *pudicitia*, which wins her a lasting and illustrious reputation. In this version, Claudia Quinta begins the story with a *dubia fama* – dubious reputation – and it is the role she plays in the cult's reception that proves

⁸⁰ Livy 29.14, Prop. 4.11.51–2, Ov. *Fast.* 4.305–48.

⁸¹ Earlier references to the tale can also be found in Cic. *Har. resp.* 27; *Cael.* 34; *Fin.* 5.64. Later imperial and Christian sources are Sen. fr. 80 (*de matrimonio*); Plin. *Nat.* 7.120; Stat. *Silv.* 1.2.245–6; Sil. 17.1–45; Suet. *Tib.* 2.3; *De vir. ill.* 44.46; August. *De civ. D.* 2.5. See Fantham 1998 and Wiseman 1979: 94–9 on possible family politics in shaping the tale.

⁸² Like so many Roman foundation tales, this story about the vindication of her sexual purity was visibly inscribed on the face of the Roman city in the form of a statue of Claudia Quinta set up in the entrance to the temple of Mater Matuta, to which Valerius Maximus makes reference (Val. Max. 1.8.11). The statue is said to have survived two outbreaks of fire that destroyed the building that housed it. The fires are dated by Valerius to 111 BCE and 3 CE, the latter sufficiently close to his own time (perhaps twenty-odd years prior to publication of his work) to suggest that the temple and statue were still then a significant part of the material of the city, and the narrative part of the city's memory. Wiseman 2000 suggests that the story formed the plot of a play.

⁸³ For instance, the mention of Claudia Quinta's role in the reception of the statue here sounds somewhat grudging, as if the names of the other *matronae* involved would have been worthy of remembrance too.

⁸⁴ Levene 1993: 70.

to the community she is after all utterly pure. This general doubt and then public proof of *pudicitia*, a recurrent narrative theme of the Roman sources from the late first century BCE, underlines the precariousness of *pudicitia*, and also, as we shall see, serves to enact certain issues central to Roman ethics: anxieties about how *pudicitia* can be recognised, how we can know anything about the secret sexual morals of another human being.

The descriptions of the cults both of Venus Verticordia and of Cybele in Ovid's *Fasti* develop these themes of reputation, misreading and visuality in a complex portrayal of the relationships between *pudicitia* and *fama* (reputation or rumour).⁸⁵ As Fantham comments, these women's cults provide good elegiac material for the poet.⁸⁶ The cults are treated in Book 4 of the *Fasti*, which is devoted to the month of April and dominated by the figure of the goddess Venus to whom the month is sacred. The first reference is to the establishment of the cult of Venus Verticordia:

supplicibus verbis illam placate: sub illa
et forma et mores et bona fama manet.
Roma pudicitia proavorum tempore lapsa est:
Cumaeam, veteres, consuluistis anum.
templa iubet fieri Veneri: quibus ordine factis
inde Venus verso nomina corde tenet.
semper ad Aeneadas placido, pulcherrima, vultu
respice, totque tuas, diva, tuere nurus.

Placate her with suppliant words: beneath her power
Beauty and morals and good reputation are all preserved.
At Rome in the times of our ancestors, *pudicitia* slipped:
You ancients consulted the aged Sibyl of Cumae.
She ordered that there should be temples for Venus: when these had
been made appropriately
Then Venus, having turned her heart, took on her epithet.⁸⁷
Most beautiful goddess, always look upon the descendants of Aeneas
with a gentle expression,
And guard over your many daughters-in-law (Ov. *Fast.* 4.155–62).

As we have seen, the consecration of the temples to the goddess Venus and the new incarnation of her as Verticordia was a national response to a moral crisis when *pudicitia* failed to hold sway over the Roman people.

⁸⁵ For more on *fama*, see Chapter 4 below, pp. 198–9. On *Fasti* Book 4 see Fantham 1998, and on this passage Porte 1984; on interpretative issues see Herbert-Brown 2002, Feeney 1998: 123–7 on 'The reality of Ovid's *Fasti*?; also Scheid 1992a, Beard 1987 and Phillips 1992.

⁸⁶ Fantham 2002: 24. On Ovid's *Fasti* as a source for Roman religion see also Beard, North and Price 1998 vol. I: 6–7.

⁸⁷ In other words, in Ovid's account, it is Venus' change of heart that the epithet Verticordia signals, rather than that of Roman women; cf. n. 66 above.

Like Valerius Maximus,⁸⁸ Ovid presents her role as watching and guarding, specifically over newly married women.⁸⁹ The three aspects of women's lives that she protects are catalogued in line 156 as their appearance or beauty (*forma*), their conduct or morality (*mores*) and their good reputation (*bona fama*).⁹⁰ The relationship between these three elements is highly problematic, as the following account of Claudia Quinta's story indicates, and we shall see both in the conclusion to this chapter and throughout the rest of this book that there are tensions between the elements of beauty, sexual attraction, morality and standing in the eyes of the community that converge here in the figure and remit of this goddess. Meanwhile the aetiology of this cult, with its mention of the lapse in *pudicitia*, is a warning of the ease with which the quality can slip away.

150 lines later begins the treatment of the cult of Cybele, in which Ovid gives a long account of how the cult came to be imported into Rome, with extensive reference to the role of Claudia Quinta (Ovid *Fast.* 4.305–48). This Claudia is a woman of beauty and high birth and her morals are impeccable – but in terms of the third category of Venus Verticordia's role, *fama*, she is not so fortunate: her reputation has been damaged by evil rumour:

Claudia Quinta genus Clauso referebat ab alto
 nec facies impar nobilitate fuit,
 casta quidem, sed non et credita est: rumor iniquus
 laeserat, et falsi criminis acta rea est.
 cultus et ornatis varie prodisse capillis
 obfuit ad rigidos promptaque lingua senes.
 conscia mens recti famae mendacia risit,
 sed nos in vitium credula turba sumus.

Claudia Quinta came from the great Clausus family,
 And she was as beautiful as she was noble,
 And pure (*casta*) too, but this last was not believed: an evil rumour
 Had damaged her, and she had to defend herself against false accusation.
 Her manner of dress, the way she went about with her hair all done
 up in various ways,
 And her ready tongue prejudiced stern old men against her.
 Her mind, conscious of right, laughed at the lies of her reputation;
 But we are a crowd who believe easily in vice (*Fast.* 4.305–12).

⁸⁸ Val. Max. 6.1.praef.; see pp. 39–41 above.

⁸⁹ The primary meaning of *nurus* is 'daughter-in-law' though it can be used to denote newly married women. As wives of the descendants of Aeneas all Roman brides are the daughters-in-law of Venus.

⁹⁰ It is not entirely clear from the context to which manifestation of Venus this line refers; see Fantham 1998 ad loc., and Fantham 2002 where she suggests that confusion is part of Ovid's elegiac game.

Scholars have seen poignancy in this theme of the damage that can be wrought by false accusation and rumour; there are parallels both with Ovid's own exile and with the banishment for adultery of Augustus' daughter Julia.⁹¹ The emphasis is on the harmful potential of an overvigilant community that misreads the personal signs of one of its members. In Claudia Quinta's case there is a discrepancy between what is generally believed and the truth about this woman, who *looks* as if she is not *casta*, because of the way she dresses and does her hair and makes conversation, even though she is and knows it.⁹² Such a discrepancy opens up a disturbing gap between seeming and being that throws the Roman insistence on outward visual display of *pudicitia* into a predicament. She may laugh in the face of it, but Claudia's impassioned plea to Cybele suggests something other than amusement. She is fortunate; history provides her with the opportunity to slice through the misapprehension of her fellow citizens with divine and unanswerable proof of her virtue. When the combined efforts of the leading citizens prove insufficient to shift the ship carrying the goddess' image from the sands of the Tiber where it is grounded, she steps forward and supplicates Cybele, asking that the goddess confirm her averred virtue by allowing her statue to follow only Claudia:

'supplicis, alma, tuae, genetrix fecunda deorum,
accipe sub certa condicione preces.
casta negor: si tu damnas, meruisse fatebor;
morte luam poenas iudice victa dea;
sed si crimen abest, tu nostrae pignora vitae
re dabis, et castas casta sequere manus.'
dixit et exiguo funem conamine traxit . . .

'Accept the prayers of your suppliant, gentle, fecund begetter of the gods,
on certain condition.

It is claimed that I am not chaste: if you condemn me, I shall admit that
this was deserved;

Defeated, with the goddess as judge, I shall expiate the penalty with my
death.

But if there is no crime, you shall grant the pledge of my life

In your action, and chaste you will follow chaste hands.'

She spoke and drew the boat with the slightest effort . . . (*Fast.* 4.319–25).

The *castitas* that was not visible in the person of Claudia herself is made manifest in the miracle of the goddess allowing Claudia to lead her image

⁹¹ See Fantham 1998: 155–6.

⁹² At line 316 the onlookers believe that she has lost her mind (*mens*), whereas we have been told at line 311 that she has a *mens* conscious of its own righteousness.

into Rome. After the celebrations that follow, we return to Claudia, and although throughout the passage so far the quality in question has been *castitas*, in the concluding lines *pudicitia* is mentioned specifically:

Claudia praecedit laeto celeberrima vultu,
credita vix tandem teste pudica dea;

Claudia went forth with a happy face, highly celebrated
Finally believed to be *pudica* on the testimony of a goddess
(*Fast.* 4.343–4).

Claudia's misleading appearance invites other Romans to come to the wrong conclusions about her, and it takes a divine miracle to set them straight. Claudia is finally believed, but what hope would she have had without the intervention of Cybele? The story might be read as admonishing women to maintain their outward appearance so as to convey impeccable *pudicitia* – no laughing, no fancy hairstyles – although it also offers a more comforting illustration of virtue eventually rewarded and recognised. However, it also admonishes readers, as spectators of others, not to jump too easily to conclusions about their morality, and thereby reflects problems raised by Roman culture's demand that *pudicitia* must be displayed.

SPECTATA PUDICITIA

A Roman woman should wear her *pudicitia* on her sleeve for the whole community to see. Indeed a satirical novel from the first century relates a tale in which people literally come from miles around to witness for themselves the exceptional *pudicitia* of a widow.⁹³ But what would such people have come to see? What does *pudicitia* look like? Livy does not describe to us the visual markers or the behaviour or actions that might have served to distinguish a woman as worthy to participate in the celebration of the cult; perhaps even to explicate what might count as signs of *pudicitia* would be to profane it. Neither does Petronius give us any hint of what the tourists might have seen in the widow of Ephesus. One catches more frequently glimpses of how the absence of *pudicitia* might be recognised.

Later representations of *pudicitia* on imperial coinage of the second and third centuries CE typically show a female figure wearing a *stola* and with hand raised and frozen in the act of drawing a veil across the face.⁹⁴ A first

⁹³ I.e. the tale of the widow of Ephesus told in Petr. *Sat.* 110–13, a text which will be discussed more fully in Chapter 4 in the context of subversive genres.

⁹⁴ On the veil gesture in ancient Roman art and its relationship with *pudicitia* see Myerowitz 1995, esp. 115 n. 46, North 1966: 308, Llewellyn-Jones 2003: 172; cf. Paus. 3.20.10–11 associating veiling with *aidos*.

century CE altar from Rome depicts Claudia Quinta pulling in the boat wearing the matron's *stola* and with her hair covered, though her face is not veiled.⁹⁵ However, depictions of Claudia Quinta inevitably pose the familiar problem: how do you depict visually a woman who is a paragon of *pudicitia*, when part of the point of her story is that she didn't look as if she was?

In Ovid's version of her tale, the signs by which the community of Rome judged Claudia Quinta to be unchaste are her dress, her stylish hair arrangement and her easy manner of talking (*Fast.* 4.309–310). One might compare Cicero's description of his contemporary Clodia in his courtroom speech in defence of Caelius. According to Cicero's graphic argumentation, the married Clodia shows herself to be a courtesan and not therefore liable to the protection of *pudicitia*, through many physical signals in which appearance and gesture shade into actual inappropriate behaviour:

si quae non nupta mulier . . . denique ita sese gerat non incessu solum, sed ornatu atque comitatu, non flagrantia oculorum, non libertate sermonum, sed etiam complexu, osculatione, actis, navigatione, conviviis, ut non solum meretrix, sed etiam proterva meretrix procaxque videatur . . .⁹⁶

If finally some woman with no husband conducted herself in such a way that, not only through the way she walked, but in her dress and in the company she kept, not only in the flash of her eyes, or in the freedom of her conversation, but even in her kissing and her exploits and her boat rides and dinner parties, she seemed to be not only a courtesan but a wanton and depraved courtesan . . . (Cic. *Cael.* 49).

An early imperial declamation offers us a description of the way that a model wife should manifest her *pudicitia* so as to ward off the possible advances of a predator:

matrona, quae esse adversus sollicitatorum lascivias volet, prodeat in tantum ornata, quantum ne immunda sit; habeat comites eius aetatis, qua impudici, si nihil aliud, in verecundiam annorum movendi sint. ferat iacentis in terram oculos. adversus officiosum salutatorem inhumana potius quam inverecunda sit, etiam in necessaria resalutandi vice multo rubore confusa. sic se in verecundiam pigneret, ut neget longe ante impudicitiam suam ore quam verbo. in has servandae integritatis custodias nulla libido inrumpet.

⁹⁵ See Beard, North and Price 1998, vol. II: 46.

⁹⁶ See further Chapter 6 below on Cicero's speeches. Cf. supporting evidence of a very different kind of source, the inscription on the tombstone of a wife (from Rome and from the period of the Gracchi) where both her conversation and her posture are praised: CE 52 'with charming conversation and with comely gait' (*sermone lepido, tum autem incessu commodo*); this description comes in the context of her love for her husband and sons, see Lattimore 1962: 271.

A *matrona* who wants to oppose the lust of a seducer, let her come out of the house dressed up only just enough to avoid being scruffy. Let her have friends of such an age that the shameless, if nothing else, should be made to respect their years. Let her keep her eyes down; when people insist on greeting her she should prefer to seem rude rather than immodest. Even when she is returning the greeting of relatives she should be blushing greatly; thus she should pledge herself to *verecundia*, so that her face should deny *impudicitia* sooner than her word. No lust should break through these defences guarding her integrity (Sen. *Contr.* 2.7.3).⁹⁷

This picture is immediately contrasted with that of the kind of dangerous behaviour that is likely to encourage a potential seducer (in argument and vocabulary an echo of Cicero's attack on Clodia above):

prodite mihi fronte in omne lenocinium composita, paulo obscurius quam posita veste nudae, exquisito in omnes facetias sermone, tantum non ultro blandientes, ut quisquis viderit non metuat accedere; deinde miramini, si, cum tot argumentis impudicitiam praesumpserit, cultu, incessu, sermone, facie, aliquis repertus est, qui incurrenti adulterae se non subduceret!

Come forward with an expression composed for every allurement, scarcely more covered up than if you weren't wearing any clothes at all, with your conversation carefully trained in every witticism, only just this side of flirtation, so that anyone who saw you would be unafraid to approach you: then, are we to be amazed that, when she has indicated *impudicitia* in so many signs – the way she dresses, the way she walks, the way she talks, her appearance – someone is to be found who would not hide away when the adulteress approached him? (Sen. *Contr.* 2.7.4).⁹⁸

In an anecdote related by Valerius Maximus (see Introduction, p. 11 above), a husband repudiates his wife because he finds out that she has been out of the house with her head uncovered and unveiled. To display her beauty before the eyes of other men, he tells her, as a parting shot, is to invite suspicion and accusations. In the same chapter another man divorces his wife because she has been seen in public speaking with an unsuitable woman, and another because she has gone to watch the public games without his permission.⁹⁹ These are extreme statements of the same principle: that the way that married women dress and behave in public is grounds for making valid decisions about their moral standing. A woman must not look as if she has beautified herself, or is in any way attempting to attract attention to herself.¹⁰⁰ She must go so far as to rebuff any offers of social interaction, and must certainly not be forward in conversation.

⁹⁷ For more on declamation and this text in particular, see Chapter 5 below.

⁹⁸ Compare too Sallust's depiction of Catiline's associate Sempronia (Sal. *Cat.* 25).

⁹⁹ Val. Max. 6.3.10–12. For further discussion of these tales in Valerius Maximus see Chapter 3.

¹⁰⁰ On the visual codes of female adornment see further Wyke 1994, Myerowitz 1995, Sebesta 1998.

An important way that *pudicitia* can make itself manifest on her face is through blushing – the Seneca passage almost suggests that this is within the woman's control.¹⁰¹ The way that a woman presents herself to be *seen* is naturally important. However, the way that she presents herself as *seeing* is equally so; a woman who hopes to avert a bad reputation must keep her eyes down and refrain from meeting the gaze of others – her look should not be seen.¹⁰² Lucretia, appearing as a shining paragon of *pudicitia* in Silius Italicus' underworld, is described as having 'her eyes fixed upon the ground'.¹⁰³ Clodia on the other hand has 'blazing eyes' (*flagrantia oculorum*), according to Cicero's description, that dare to stare right back at men, and these are seen as an invitation for sexual approach.

The visibility of *pudicitia* relies, then, primarily on external appearance and public social behaviour, and the virtue will turn out to be as much about these as about the sexual behaviour itself. The moral force itself that guides sexual behaviour is elusive and secret. As a means of regulating the behaviour of those into whose souls they cannot see, Roman society has drawn a close conceptual link between the virtue and appearance of an individual. Using a complex visual code to which we no longer have complete access, Romans had ways of reading the virtues of an individual on the body.¹⁰⁴

The efficient functioning of this system and the reliability of the code are vital for the regulation of sexuality; yet despite this the ancient sources themselves raise concerns about the fallibility of this means of control. Many sources write of the worrying inconsistency between the appearance of virtue and the reality of virtue, and this book argues that this is one of the central anxieties of Roman sexual ethics. We have already seen how in Ovid's *Fasti* Claudia Quinta, latterly a paragon of *pudicitia*, was initially held in suspicion by the Roman community on account of her appearance and manners. The familiar code of dress and gait and conversation are read by spectators of the woman so that they may know her moral standing, yet the signs are misread or even deceptive and their significance is misunderstood. This story tells of a gap between what the viewer is led to believe by the public demeanour of a woman and her true virtuous nature. The truth

¹⁰¹ On blushing see Barton 1999, 2002 and my Introduction, p. 19.

¹⁰² These constraints are not only for married women, as we shall see, especially in Chapters 5 and 6 below. In Val. Max. 6.1.7 the virtue of the (young, male) intended victim and thus the magnitude of the would-be *stuprator*'s crime is brought home to the spectators by the former's demeanour in the courtroom: he says nothing and stares at the floor, thereby demonstrating to all his *verecundia*.

¹⁰³ Sil. 13, 822; see Chapter 2 below, p. 78.

¹⁰⁴ See Corbeill 2004 and Chapters 5 and 6 below, which discuss the way that masculine sexual virtue is written on the body.

of Claudia's *pudicitia* can only be revealed by its divine acknowledgment; it is not otherwise available to mortals. Quintilian, too, writes in his rhetorical handbook about the problematics of reading the apparent signs of adultery; addressing precisely the passage from the *pro Caelio* above, it argues that a woman is not proved to be an adulteress merely because she dines with men and all the rest.¹⁰⁵ For the Romans, *pudicitia* remains an elusive quality, which can sometimes be pinned down only by extraordinary (even superhuman) means.

The difficulty of seeing and knowing sexual virtue and integrity is also demonstrated by the story of the Vestal Virgin Tuccia and her sieve.¹⁰⁶ Although everyone believes her to be lacking *castitas*, Tuccia calls on Vesta, the goddess she serves, to enable her, if she is truly chaste, to bring water from the Tiber to the temple in a sieve, and so, when the miracle has been achieved, her reputation is cleared, and the charge is dismissed from court. The ritual and symbolic associations of the sieve are relevant here,¹⁰⁷ yet Valerius tells this story not as part of a chapter on miracles, but as one of a series of courtroom trials that produced out-of-the-ordinary acquittals, emphasising the legal aspects of the case, which suggests that this story is in part a comment on the fallibility of mortal legislation and courtroom procedure.¹⁰⁸ When a woman is called upon to disprove accusations of sexual impurity not by producing witnesses to attest to her character, not by eloquently persuading the court of her *pudicitia*, but by carrying water in a sieve – then we see plainly the elusiveness of sexual virtue for the ancient Romans, and we understand how far one must go beyond inquiring about sexual practice itself to be sure of having witnessed it. In these sources, however, the women are always proved to be in reality *pudicae*; for the even more worrying phenomenon of women *seeming pudicae*, but in fact not being so, we must wait until the literature of the empire . . . (see Chapter 4 below).

THE DANGERS OF DISPLAYING *PUDICITIA*

I have argued that *pudicitia* demands to be seen and displayed in public. Yet Sulpicius Galus' wife was divorced for no other reason than that she displayed herself in public in a way that was displeasing to her husband.¹⁰⁹

¹⁰⁵ Quint. *Inst.* 5.9.14. ¹⁰⁶ Val. Max. 8.1.absol.5, Livy *Per.* 20.

¹⁰⁷ See Staples 1997; Carson 1989; Richlin 1997c: 357.

¹⁰⁸ Compare the use of legal terminology in Ovid's *Fasti*. For more on the fallibility of the legal system see below Chapter 2, p. 97, Chapter 4, p. 204, and Chapter 7, pp. 331–2.

¹⁰⁹ As above, Val. Max. 6.3.10. I follow Briscoe 1998 in calling him Galus rather than Gallus.

Women must call attention to their *pudicitia* but without attracting the sort of attention from other men that might incur censure. These constraints are eminently comprehensible, yet there is a thin line between these different kinds of display; many ancient sources, as this book will show, draw attention to this fact, whether to dwell on its ironies or to express anxieties about the possibility of its breach.

In the second poem of his collection, Propertius tells his *puella* not to spoil her looks with artifice, and that a girl is most attractive when she is unmade-up and unadorned:

Quid iuvat ornato procedere, vita, capillo
 et tenuis Coa veste movere sinus,
 aut quid Orontea crinis perfundere murra,
 teque peregrinis vendere muneribus,
 naturaeque decus mercato perdere cultu,
 nec sinere in propriis membra nitere bonis?
 crede mihi, non ulla est medicina figurae:
 nudus amor formae non amat artificem.

What is the point, darling, of going around with your hair all done up,
 And swinging your soft curves in a Coan dress,
 Or pouring Orontean myrrh on your locks,
 And selling yourself with foreign gifts,
 And destroying the ornaments of nature with elegance that you have
 purchased,
 And not allowing your body to shine forth with its own attributes?
 Believe me, there is no potion for good looks:
 Naked love does not love the counterfeiter of beauty (Prop. 1.2.1–8).

This plea on behalf of natural beauty is a conventional poetic trope.¹¹⁰ Here Propertius follows it with a description of the profusion of beauty in nature, and then alludes to the naive attractions of female figures from Greek myth, whose fate was to be carried off by gods. He comments of these girls:

non illis studium vulgo conquirere amantis;
 illis ampla satis forma pudicitia.

They were not eager to conquer lovers at random;
 for them *pudicitia* was ample beauty enough (Prop. 1.2.23–4).

In other words, these girls who are abducted by lustful divinities are held up as the moral paradigms for Propertius' addressee. On one level the poem looks like an admonition to the poet's girlfriend or even wife, with

¹¹⁰ See e.g. Tib. 1.8.9–16 or Plaut. *Most.* 288–92; see Baker 1990 ad loc.

a traditional moral message about the regulation of the appearance and its association with sexual morality within a (marital) relationship. There is no doubt that the poem makes reference to such ideological aspects. Yet it forms part of a collection and a genre where we are invited to find ironies and play.¹¹¹ There is considerable irony in this little phrase – ‘*pudicitia* (was or is) beauty enough’, which in the Latin (where there is no verb to fix the tense) resounds like a maxim – somewhat similar to the phrase we found in Seneca: ‘*pudicitia* is the greatest ornament’.¹¹² Propertius’ phrase can be read as a universalising statement: the appearance of the virtue itself is enough to make a girl beautiful, and the quality of *pudicitia* can be a turn-on. And so, paradoxically, when *pudicitia* is seen as a visual quality that decorates or beautifies its possessor, it also becomes a dangerous attribute that renders sexual integrity insecure.¹¹³ In the context of the lines in Propertius’ poem immediately preceding, *pudicitia* becomes a tool for attracting men to rape you, rather than the traditional protection against this.¹¹⁴

Meanwhile, to add to the confusion, in line 5 of the poem Propertius uses the Latin term *decus* (a term which has a wide range of meanings in Latin, from honour to visual decoration)¹¹⁵ for the natural physical beauty of the unspoilt girl. If we juxtapose this mischievous verse with the philosopher Seneca’s demure praise of his mother (cited at the head of this chapter), we see the Roman dilemma nicely summarised. Seneca describes *pudicitia* as the *maximum decus*, which we might translate as ‘the greatest ornament/decoration/glory’. The context is a moralising barrage in which he compares his mother to other women who are characterised by the greatest evil of the day: *impudicitia*.

non te maximum saeculi malum, impudicitia, in numerum plurium adduxit. non gemmae te, non margaritae flexerunt; non tibi divitiae velut maximum generis humani bonum refulerunt; non te, bene in antiqua et severa institutam domo, periculosa etiam probis peiorum detorsit imitatio. numquam te fecunditatis tuae, quasi exprobraret aetatem, puduit, numquam more aliarum, quibus omnis commendatio ex forma petitur, tumescentem uterum abscondisti quasi indecens onus, nec intra viscera tua conceptas spes liberorum elisisti; non faciem coloribus ac lenociniis polluisti; numquam tibi vestis placuit quae nihil amplius nudaret cum

¹¹¹ For more on this see Chapter 4 below. Elegy points up the ambiguities of all aspects of beauty and appearance. Cf. Prop. 3.24.1: ‘confidence in your beauty, woman, is misplaced’ (*falsa est ista tuae, mulier, fiducia formae*).

¹¹² See p. 37 above.

¹¹³ For the dangerous and corrupting consequences of being beautiful see e.g. Val. Max. 4.5.ext.1 on the Etruscan boy Spurrinna, who disfigures himself to avoid the suspicions attached to his allure, or Juv. 10.293–8.

¹¹⁴ For more on traditional ideas about *pudicitia* as protection for unmarried girls see Chapters 2 and 3 below.

¹¹⁵ See above n. 1. There is a similar ambiguity in the Greek term *kosmos*.

poneretur: unicum tibi ornamentum, pulcherrima et nulli obnoxia aetati forma, maximum decus visa est pudicitia.

The greatest evil of our day, *impudicitia*, has not welcomed you into the masses. No jewels, no pearls have swayed your purpose; for you riches have not shone out as if they were the greatest good of humankind. Brought up as you were in an old-fashioned and strict household, you have not been twisted by the dangerous imitation of people worse than yourself, which is dangerous even to the morally upright. You were never ashamed of your fecundity because it betrays your age, nor, unlike others who value above all things being appreciated for their appearance, did you hide your burgeoning womb as if it were an unsightly burden, or cut out from your insides the child-to-be; you did not pollute your appearance with meretricious make-up; you never liked clothing which is little better than nudity. In you is to be seen the only form of ornamentation, the most lovely kind of beauty which is damaging to no age, the greatest adornment [*decus*] – *pudicitia* (*Dial.* 12.16.2–4).

Just like Propertius, Seneca is making a contrast between the woman in whom one sees *pudicitia* and the woman who adorns herself with jewels and make-up and expensive clothes in the hope of drawing the admiring glances of men. The passage confirms the moral implications of dressing up that we saw outlined above. In contrast, *decus* can also mean honour or glory, or decoration in the sense of a public recognition of glory, and so once again we see here *pudicitia* as the parallel of masculine virtue and glory won on the battlefield. The woman who decorates herself with *pudicitia* is a woman of the utmost virtue, markedly different from the rest of the female sex. And yet . . . in Seneca's phrase *pudicitia* is figured in itself as a form of decoration in the sense of beauty and ornament, and when it is visible in her person it will lend the virtuous woman a particularly compelling form of beauty.

This dangerous paradox – of *pudicitia* as a form of beauty that attracts its own destruction – is written into the most famous of all Roman narratives about *pudicitia*: the story of the wicked Tarquinius who forces the virtuous Lucretia to have sex with him, and of her subsequent suicide. In the following chapter I shall analyse this paradigmatic narrative and show how amongst other things Livy's account is one of those sources that dwell on two of the key issues sparked by the concept of *pudicitia*: the anxiety about how to recognise or display *pudicitia*, and the paradoxical dangers of display.

I started this chapter by making bold claims about the cult of *pudicitia* in Roman culture. In the process of analysing the sources closely I have

shown that what the sources can provide us with is something far less certain. We cannot know how Romans celebrated the cult of *pudicitia* or what role it played in the fabric of Roman society. We can access only a series of reflections upon the cult from writers who make explicit claims that they are living in times when the cult is losing or has lost its grip upon society. The texts we have encountered in the course of this chapter do not so much tell us about the cult of *pudicitia* as *use* it to talk about moral, social and political issues. In doing so they reveal what the idea of the cult means to them, or means in the specific context in which they were writing. Sometimes this significance is revealed self-consciously and deliberately, at others it may be found in underlying structures or assumptions of the text owing to the personal, cultural or historical background in which the author writes, of which he is not himself necessarily aware.¹¹⁶

The various preoccupations of the texts that I have here used as sources will emerge in the course of the following chapters, where a range of works are examined in turn with reference to the literary and historical contexts that shaped them. However, we can already see in these texts certain themes that emerge regarding *pudicitia*. Display is undoubtedly important to *pudicitia*, despite the complexity of the relationship between the two. The sources portray the cult as having significance in mediating between the individual and the morals of the community. They also make assumptions about the relationship between instances of wrongful sexual behaviour of individuals and the welfare of the whole state that serve to heighten the sense that it is vital to regulate one's behaviour. The themes of women's ethics, national stability, visibility, public display, reputation, and competition all appear again and again in various relations to one another throughout these sources.

¹¹⁶ Compare Umberto Eco's reflection on the contemporary interpreters of his own work in Eco 1992.

CHAPTER 2

Traditional narratives and Livy's Roman history

Ecce pudicitiae Latium decus
Behold the Latian glory of *pudicitia*!

(Silius Italicus, *Punica* 13.821)

During Silius Italicus' epic poem, the *Punica*, Scipio visits the underworld, where he witnesses a procession of great men and women from Roman history; among them he is invited, by the Sibyl who is his guide, to 'behold the glory of *pudicitia*!' There can have been no doubt in any Roman reader's mind about what we see (though the sight is glossed in the following line):¹ the figure of Lucretia, legendary paragon of the virtue. Lucretia was part of Roman history and also part of Roman education, but what her story taught depended to an extent on the context of the telling. The next two chapters will explore both the story of Lucretia itself and the broader contexts of two versions of the story. This chapter will examine Livy's history of the Roman Republic and the role played by the concept of *pudicitia* within it. The following chapter will analyse the work of Valerius Maximus and in particular the chapter devoted to *pudicitia* which Lucretia's story heads.

EXEMPLARY TALES IN ANCIENT ROME

The prevalent Roman lament about moral decline and the idealisation of the Roman past, particularly the early days of the Republic, is not merely an expression of regret at the loss of innocence. On the contrary, it is a powerful weapon in the armoury of Roman ethical teaching with a blade that is regularly freshly sharpened.² Moral exhortation in Rome throughout the eras represented by our extant sources is sustained by a sense of a (constantly

¹ *fert frontem atque oculos terrae Lucretia fixos* ('Lucretia carries her countenance and her eyes fixed upon the ground', Sil. 13.822).

² See Edwards 1996.

renegotiated) communal history laden with paradigms of excellence that can be fruitfully brought to bear on the development of an individual's ethical understanding. The virtue of the past and the comparative failings of the present are two sides of the same coin pressed into the palm of Roman youth in the hope of purchasing its commitment to moral education.

The term *exemplum* can be used of various aspects of a moralising narrative. It refers to the formal use of a historical tale, in speech or writing, according to the conventions laid down in rhetorical handbooks, in order to persuade, embellish, uplift.³ It may refer to the events that are narrated in the story, the account itself, or the heroic (or, less often, paradigmatically villainous) character who performs the deed at the heart of the story. This embracing of form, content and purpose in one idea is no accident; it reflects Roman conceptualisation of the interrelation of great men, great deeds, a great past, great moral qualities, a great moral tradition, and a great literary and rhetorical tradition. Most *exempla* take the form of (a narrative about) a single heroic deed performed by a named individual, illustrative of a particular virtue or slew of virtues. The contexts in which such stories might be retold are many and various, and doubtless many are lost to us, since the oral tradition must have played an important role in keeping them alive for the members of the Roman community.⁴

In the *exemplum*, historical accuracy yields to moral and rhetorical purpose, the two entwined in Roman thought.⁵ The emphasis is on what a tale can be made to *mean*. Historical material is transformed into *exempla* through a series of techniques designed, amongst other things, to represent events as relevant beyond their specific historical context, as conforming to useful patterns. As Cicero says, 'it is acceptable for rhetoricians to manipulate historical narratives the more poignantly to convey their message' (*concessum est rhetoribus ementiri in historiis, ut aliquid dicere possint argutius, Brut.* 42).⁶ Hence there is sometimes confusion about which person performed a particular deed, or during which stage of Roman history it took place; it should be pinpointed to a particular person or date, in order to

³ For ancient definitions see Quint. *Inst.* 5.11.15–34, *Rhet. Her.* 4.62 and Cic. *Inv.* 1.49. An introduction to the rhetorical aspects of the *exemplum* can be found in Lausberg 1998: 196–203, and to the ideological and moral aspects in Litchfield 1914.

⁴ Introductions to the Roman *exemplum* in Roman literature and society can be found in Skidmore 1996, Chaplin 2000, Langlands 2000, Part I, Litchfield 1914, Leigh 1997: 160–2, Nicolai 1992 and Maslov 1984, esp. 439 n. 4.

⁵ Quint. *Inst.* 1.8.18.

⁶ See also Maslov 1984: 443. For discussions of how 'history' becomes 'exemplum' see David 1998b, Sage 1979 on the Roman tradition and Stierle 1972 more generally.

lend it the authenticity of fact, but what these are need not be fixed.⁷ To this end, authors also stress the importance of suspending scepticism, even about the most fantastic of tales told about deeds supposed to have been done in the very earliest days of Rome (a specially fruitful era for *exempla*).

LUCRETIA

Although most exemplary protagonists in the Roman tradition are male,⁸ the female Lucretia is one of the most often cited and most well-known of all of them. Her story is foundational, part of a group of legendary tales about the development of Rome in its early years, during the sixth century BCE.⁹ In a story set in 509 BCE, a model wife, Lucretia, becomes the innocent victim of a royal prince's lust. Her subsequent suicide and the vengeance brought about by her relatives against the royal family changes the face of Rome forever, driving out the very monarchy itself and setting in motion the institution of a Republican system that will last for hundreds of years: rule by elected magistrates rather than hereditary kings.

There is no doubt at all that this story was profoundly embedded in Roman consciousness. Casual, often oblique, references in diverse genres such as courtroom speeches and declamations, epic and satire,¹⁰ suggest a very close familiarity expected throughout literate society. However, its hold on the Roman imagination almost certainly went beyond the educated classes. Varro, in his treatise on the Latin language, happens to make reference to a play that appears to have treated the story; there may well have been others.¹¹ The story would surely have often been retold at the funerals of families who claimed Lucretia's avenger Brutus as one of their ancestors; in such circumstances the audience would have contained a

⁷ Cf. Maslakov 1984: 444 on Val. Max. 7.5.2, where four generations of Scipiones Nasicae are described as one man (cf. Briscoe 1993: 407), and his n. 15 for other examples, or compare Val. Max. 3.2.ext.1, where Fulvius Flaccus' behaviour is described as *crudelitas*, and 3.8.1, where the same is *constantia*, discussed by Kleijwegt 1998: 106. Compare the strictures on the modern 'urban myth', see Whatley and Henken 2000, Turner 1993.

⁸ For lists see Litchfield 1914.

⁹ See Wiseman 1998b on the possible origins and early development of the story. There is also the possibility that this might be an Etruscan myth reworked on the pattern of some key narratives from Athenian history; see Small 1970 for a discussion of this theory in light of the material evidence.

¹⁰ E.g. Cic. *Mil.*; Ps. Quint. *Decl.* 3; Calp. *Decl.* 3 (for discussion of these texts see Chapter 5 below); Quintilian adduces it as one of the key examples in his instructions on how to use *exempla* (*Inst.* 5.11.10); Sil. 13.821–2, see above; Juv. 10.293–8 (see above, p. 75).

¹¹ Varro *Ling.* 6.7: 'the time between dusk and dawn is called the *nox intempesta*, as when in Cassius' Brutus Lucretia says: "he came to our home in the dead of night"'. Cassius was probably a writer of *praetextae*, but is otherwise unknown (Ribbeck 1897: 331 and Warmington 1935–40, vol. II: 562–3). For theatre see Chapter 4 below.

broad demographic range.¹² In all probability most Romans would have grown up with the story and would not remember the first time they had heard it.¹³

Lucretia's story is far more than a mere fragment of the chronicles of a distant past. For those who lived in Rome in every era for which we have evidence, the figure of Lucretia and the story of her fate are paradigms: they have explicit moral significance and are deployed throughout Roman culture for rhetorical, educational and ethical ends. Indeed it might be said to be the paradigm of paradigms for the Romans.¹⁴ The significance of the story is complex and varying: depending on how they are presented and interpreted, Lucretia and her experiences may stand for and teach of, for instance, *pudicitia*, noble self-killing, the moral potential of women, courage, patriotism, the glory of those early days, the horrors of tyranny, the importance of liberty or a whole host of other things, or any combination of the above. Wherever the tale is cited or the name of Lucretia is used or alluded to in ancient sources it is designed to illustrate *some* kind of moral value or ideological statement. The message it conveys is always poignant.

Our earliest extant references to the tale come from the first century BCE, a period that is characterised by antiquarian impulse. Cicero, one of our most prolific sources from this era, was a politician and philosopher, highly educated in rhetoric and trained in the manipulation of *exempla*. He makes a number of references to the story in a variety of works. In his work on the Roman constitution and political theory, *The Republic* (2.46–7), the episode is cited in the context of a discussion of how kingship becomes corrupted into tyranny, and is a sign of the king's inability to control the lustful behaviour of his son, and the tale stands as an illustration of how state can be ruined by one man.¹⁵ In his work *On the Laws* the story is used to argue for the existence of eternal moral laws that guide human behaviour beyond the mere statutes that are written down formally (*Leg.* 2.10), teaching that what is right and true is eternal and does not begin and end with written statutes. Elsewhere, in one of Cicero's philosophical works (*Fin.* 2.20), Lucretia is adduced, during a refutation of Epicureanism, as an illustration of the precept that virtuous people are happier than voluptuaries, positing Lucretia, Verginius and Regulus as the happiest Romans there have ever

¹² See Flower 1996: 128–50.

¹³ Strangely this is not reflected in the visual tradition: apart from the possible Etruscan representations of the tale discussed by Small 1970, I know no other visual representations of Lucretia.

¹⁴ See Chaplin 2000: 1–2 on the tendency for post-classical readers of Livy to focus on Lucretia as a prime *exemplum*; cf. Litchfield 1914.

¹⁵ Other sources where the story is part of discussion about politics and constitution are Livy 1.57.6–59.3 (discussed below), Ample. 29.1.2 on Roman institutions and Florus 1.1.9 on bad kings.

been, so wonderful a thing is it to sacrifice oneself or one's loved ones for the greater good of one's country.¹⁶ None of these citations by Cicero explicitly names *pudicitia* or sexual virtue as a key feature of its moral importance, although this does not mean that the story was not associated with *pudicitia* in Cicero's day: Cicero was a sophisticated writer, and he may well have been giving new political and philosophical spin to an old tale. It is certainly clear that this *was* an old and familiar tale in his day – the narrative details are indicated very sparingly, in a manner that suggests that one would expect them to be supplied from the cultural memory of the reader. The number of ways in which the story is deployed – even by one author – indicates its rich moral potential.

However, in the early empire *pudicitia* is very much at the heart of some representations of the tale: Ovid, Valerius Maximus, Seneca, Martial, Silius Italicus and Juvenal, spanning the first century and beyond, all use the term in reference to Lucretia. Ovid's own version of the story comes at *Fasti* 2.721–852.¹⁷ Meanwhile, for his contemporary Valerius Maximus Lucretia is the 'leader of Roman *pudicitia*' who heads his chapter on the subject.

In the next generation, the philosopher and politician Seneca will use the example of Lucretia to illustrate women's capacity for virtue, so as to encourage his correspondent Marcia to stiffen her own moral fibres.¹⁸ The poet Silius Italicus, as we saw above, hails her as the glory of Italian *pudicitia*.¹⁹ Hers is one of the rare historical examples adduced in declamatory works.²⁰ Later the imperial epigrammist Martial and the satirist Juvenal provide cynical counterbalance to this solemn extolling of virtue. In his tenth satire, Juvenal criticises mothers who pray that their children will be beautiful, and claims that both Lucretia and Verginia – traditional victims of *stuprum* – wished rather that they had not been born beautiful. Here Lucretia's tale is used, in a characteristically Juvenalian twist, to provide an anti-exemplum: no one should want their child to end up like Lucretia, whose beauty caused her to *lose* her *pudicitia*. He comments: 'beauty and *pudicitia* are rarely at ease with one another' (*rara est adeo concordia formae / atque pudicitiae*).²¹ Whereas Seneca evokes her as an inspirational

¹⁶ Cf. *Fin.* 5.22.

¹⁷ The word *pudica* appears at lines 757 and 794. There may also be a sidelong reference to Lucretia as the epitome of *pudicitia* at *Pont.* 3.1.114–16; see Chapter 7, pp. 360–1.

¹⁸ Sen. *Dial.* 16.16.2. ¹⁹ Sil. 13.821–2.

²⁰ References to the tale in the declamatory tradition by Calpurnius Flaccus and pseudo-Quintilian are discussed in Chapter 5 below, pp. 267–8.

²¹ Juv. 10.297–8. This cuts to the heart of the tensions in *pudicitia* discussed in Chapter 1 pp. 73–6 above.

figure to be emulated (as does Cicero above), Juvenal suggests that her fate is to be avoided. Meanwhile Martial's epigrams wickedly undercut Lucretia's reputation for sexual integrity. Martial 1.90 is addressed to a woman who he thought was a Lucretia (i.e. a paragon of *pudicitia*) because a man never came near her and she was only ever surrounded by other women. In the poem's twist he has come to realise that she was something much worse than an unfaithful wife – a novel and monstrous kind of *futator* (fucker) who herself penetrates and adulterously defiles other wives.²² In 11.16 Lucretia is used to represent an outwardly demure and moral woman who blushes and puts aside Martial's own book of titillating poetry when a 'Brutus' approaches, but when he leaves picks it up again and reads. In 11.104, which is addressed to his wife, Martial tells her to get out of his house or conform to his sexual *mores*, which are less strict and old-fashioned than hers. She can play the Lucretia in public, he tells her, as long as she is a whore in bed. In all these poems Lucretia represents the public face of a woman who appears to be a model of virtue but in various ways is revealed behind the façade to be something very different: a tribade, a lustful reader of Martial's poems, a wife who will act like a prostitute in her husband's bedroom. His poems playfully draw attention to the tensions produced by the importance attached to displays of sexual virtue that we identified in the [previous chapter](#), and we shall see more of this edgy humour in Chapters 4 and 7 below.

As well as these (and many other) references to Lucretia and her tale by name, there are several occasions on which the figure of Lucretia and the structures of her story are evoked more obliquely in the Roman sources. For instance, having made a direct reference to Lucretia (at *Satyricon* 9.5), Petronius goes on later in the work to tell a completely different story, that of the seduction of the widow of Ephesus, in which elements of Lucretia's tale (among others) are evoked and reworked for comic and narrative effect.²³ Tacitus too, in his history of the imperial age, uses the memory of Lucretia's story to underpin narratives of contemporary events.²⁴ The structures of the story, as we shall see in the course of this book, are sunk deep into the Roman collective memory, and on analysis emerge from beneath the surface of many other narratives found in the sources, both fictional and historical.

The story of Lucretia is one of the most widely referenced narratives from the Roman historico-moral tradition. A very rich narrative that has

²² For the figure of the penetrating woman as monster in Roman ideology see Parker 1998a.

²³ See the discussion of this text in Chapter 4, pp. 227–31. ²⁴ See Chapter 7, pp. 332–43.

provided endless material for those who wish to draw moral lessons or explore moral issues, it has resonated far beyond the classical world.²⁵ Most often it is the quality of *pudicitia* with which Lucretia's story is associated and it holds therefore a place of prime importance in my work. In itself, it is a crucial tool for understanding Roman sexual morality; however, it also provides the template for many other narratives pertaining to *pudicitia* found in ancient sources, and its influence on Roman authors is extensive. Many of the later sources that I will examine in the course of this book will be fully appreciated only in the light of the traditional story of Lucretia, when the reader is able to bring knowledge of it to bear upon them.

LIVY

Yet, as with so many Roman legends and so much Republican Roman history, most of what we 'know' about Lucretia and her story comes from the late Republican and Augustan historian Livy. Although there are countless references to the tale throughout Roman literature, Livy's account of what happened to her is the most detailed, the most expansive, the most vivid and dramatic of those that survive. The scenes linger in the mind of the reader and have influenced artists and writers ever since they were written.²⁶ It is therefore from this rich source that I shall begin my analysis of the significance of 'Lucretia'. This chapter then goes on to examine three more traditional and paradigmatic narratives about *pudicitia* to which the Roman cultural imagination had recourse, as they are played out in the pages of Livy's history: Appius Claudius' assault on Verginia sixty years later in 449 BCE (recounted in Book 3.44–48), and two events from the second century, nearly three hundred years later – a Roman centurion's assault on his foreign captive in 189 BCE (38.24.2–9), and the scandal of the Bacchanalian cult in 186 BCE (39.8–19). All of these stories focus on *stuprum*, the transgressive sexual act that damages its victim, as the threat to and testing point of *pudicitia*, and on the implications of an individual's sexual experience for the wider community, for liberty, for political structures and even for national security. The first three stories feature, more specifically, attempts (whether successful or not) by a powerful man to force an unwilling woman of lower status than himself to have sex with him; the fourth tale shows that men too are vulnerable to *stuprum*, and introduces

²⁵ See Donaldson 1982 and Jed 1989 for the developments of the tradition surrounding the tale in the post-classical world.

²⁶ For some striking post-classical visual representations of the story see the reproductions in Donaldson 1982.

the idea of the corruption wrought by *stuprum* that engenders in men the desire to inflict *stuprum* on others, and thus makes sexual transgression a self-perpetuating phenomenon. Livy's history also asks the reader to think about issues in the relationship between body and mind within the moral individual.

I shall begin by looking at how Livy, in his extraordinary version of the traditional tale, sets the bones of the story of Lucretia's fate to work on some of the central problems in Roman sexual ethics.

LUCRETIA – THE EXPULSION OF THE KINGS (LIVY I.57–9)

The tale is a self-contained narrative of sex forced upon a married woman, and of the suicide and vengeance that redeem the damage done by this sexual encounter. Yet, just like the story of the foundation of the cult of plebeian *pudicitia*, Livy also tells it as an integral part of Rome's early history, as a pivotal turning point in that history: emerging from what came before, bringing about the subsequent unfolding of Roman history. The narrative is laden with historical and political as well as ethical significance – indeed in Livy's work these elements are all one and cannot be distinguished one from another.

The story is set in 509 BCE, during the rule of Tarquinius Superbus (Tarquin the Arrogant). Rome has been ruled by kings since its inception 200 years before, but this king has seized the throne by force and put many of the leading men to death. The story is about the event that triggers the overthrow of this ruling family and thereby the founding of the Roman Republic. As the story begins, Rome is at war with the Rutuli, a wealthy neighbouring tribe, and the Romans have besieged the Rutulian capital Ardea, a town twenty-five miles south of Rome. The siege is protracted and the young men of the palace while away their leisure time in banquets and drinking sessions. Livy's opening scene shows a group of young men from leading families drinking and boasting until they wind themselves up into inebriated dispute:

forte potentibus his apud Sex. Tarquinius, ubi et Collatinus cenabat Tarquinius, Egeri filius, incidit de uxoribus mentio. suam quisque laudare miris modis; inde certamine accenso Collatinus negat verbis opus esse; paucis id quidem horis posse sciri quantum ceteris praestet Lucretia sua. 'quin, si vigor iuventae inest, conscendimus equos invisimusque praesentes nostrarum ingenia? id cuique spectatissimum sit quod necopinato viri adventu occurrerit oculis.' incaluerant vino; 'age sane' omnes; citatis equis avolant Romam. quo cum primis se intendentibus tenebris pervenis-
sent, pergunt inde Collatiam, ubi Lucretiam haudquaquam ut regias nurus, quas in

convivio luxuque cum aequalibus viderant tempus terentes, sed nocte sera deditam lanae inter lucubrantes ancillas in medio aedium sedentem inveniunt. muliebris certaminis laus penes Lucretiam fuit. adveniens vir Tarquinius excepti benigne; victor maritus comiter invitat regios iuvenes. ibi Sex. Tarquinius mala libido Lucretiae per vim stuprandae capit; cum forma tum spectata castitas incitat. et tum quidem ab nocturno iuvenali ludo in castra redeunt.

They happened to be drinking at Sextus Tarquinius' house, where Tarquinius Collatinus, the son of Egerius, was also dining, when the subject of wives came up. Each man praised his own wife in extraordinary ways; this fired up a competitive spirit and Collatinus said that there was no need for words, indeed in a couple of hours it could be known how far his own Lucretia outshone the rest. 'Why don't we mount our horses, if we have the vigour of youth, and go and have a look at the characters of our women in person? That would make it most obvious [*spectatissimum*] to each of us what a man who turned up unexpectedly would see.' They had grown hot with wine. 'Come on then!' they all said, and they sped to Rome, urging on their steeds. When they had arrived there with the first shadows falling, they went from there to Collatia, where they found Lucretia sitting in the middle of the building among her slave girls working by lamplight, working the wool late into the night. She was nothing like the young women of the ruling family, whom they had seen whiling away the time at extravagant banquets with their friends. The prize of the competition between the women fell to Lucretia. The returning husband and the Tarquinius were politely received; the victorious husband courteously invited the young royals in. There a wicked desire to force *stuprum* upon Lucretia seized Sextus Tarquinius; the combination of her beauty and her proven purity [*spectata castitas*] excited him. And then they left their youthful nocturnal sport and returned to camp (Livy 1.57.6–10).

This first scene of the narrative shows the young husbands, away from their wives at war, sparking into alcohol-fuelled rivalry as each makes rash claims about his own wife, bragging of her supremacy. Fired up by wine and the competitive spirit, it is Lucretia's husband Collatinus who makes the fatal suggestion that instead of talking about it they should settle it there and then by riding back to their homes in Rome and Collatia and surprising their women-folk at whatever they happen to be doing, catching them unawares. From this point this is no longer merely a verbal clash between the men, but becomes a competition of maternal virtues between the unwitting women, what Livy calls a *muliebre certamen* – 'competition among the women' – an undignified parody of the competitions we saw in the previous chapter.²⁷ The scene is of competition gone awry, exposing the dangers of ideas about *pudicitia* that are enacted in ancient writings about the cult, discussed in Chapter 1 above.

²⁷ See Chapter 1 above, pp. 50–1.

This passage makes it clear how important a wife's nature is to her husband: the competition between the men and the competition between the women are one and the same. Lucretia wins the competition, but it is her husband who is the winner (*victor maritus* – the winning husband). The bragging and the desire to find out what their wives get up to while they are away at war suggests the men's anxiety about what is going on in their household while they are absent and its importance for their standing among the other men. Other scholars have usefully explored the idea that in the ancient world rape affected those who were not the actual physical victims of it. For example, Joshel, in her article on the political significance of Livy's version of Lucretia's rape, writes in a footnote: 'In effect, Roman patriarchy associates all women with sons in paternal power. Apprehension about their vulnerability to aggressive non-kindred males would seem to stem from the "rightful" power that their fathers (and husbands) wielded over their bodies.'²⁸ This story suggests that men may be investing too much in their wives' virtue.²⁹

It is the *ingenia* – the personal qualities and dispositions – of their wives that Collatinus persuades them to put to the test, and these are to be witnessed in their choice of nocturnal pursuits. Sure enough, the women of the royal household are found banqueting with their friends, while Lucretia is working at her domestic chores and in particular the archetypal virtuous work of the *matrona*: spinning.³⁰ Once again we see how the virtues of a woman are made visible through behaviour that might, to a modern eye, look quite unrelated to the abstract quality that the ancient eye perceives.

Yet it is that very shining manifestation of virtue that attracts the eye of the unscrupulous Tarquin, and it is Collatinus' immodest desire to parade that virtue before other men that brings ruin upon his household. It is when Tarquinius is inside his home as a judge of this spontaneous contest that a terrible desire for Lucretia seizes him. He is aroused by her beauty (*forma*), yes – and we shall see that outstanding physical beauty of its object

²⁸ Joshel 1992a: 130 n. 8; her article discusses the tale in the light of anthropological material on Mediterranean women and male honour. See also Richlin 1992a: 220–6 and Gardner 1986: 118. The fear of female inscrutability is also part of the Greek tradition surrounding the figure of Penelope, on which see Katz 1991 and Winkler 1990; see also Chapter 4 below.

²⁹ See further Chapter 4 below for ancient themes dealing with the limits of a husband's control over his wife's sexuality.

³⁰ On wool-working as a symbol of wifely virtue see Larsson Lovén 1998, Williams 1958 and D'Ambra 1993; a charming ancient illustration comes in the simile at Virg. *Aen.* 8.407–13, where the woman weaves to keep her marriage bed pure and enable her to bring up her children; cf. Val. Fl. 2.137–8, and the common epitaph for a wife: '*domum servavit, lanam fecit*' ('she protected the house, she worked the wool'). Ogilvie 1965: 222 writes 'the concept of *pudicitia* was typified by wool-working' and provides further references: Tib. 1.3.83–90, *Laud. Turiae* 1.30, Vit. 6.7.2 and Ov. *Medic.* 13–17.

is a formulaic element of all of Livy's tales of lust.³¹ However, he is equally aroused by her *spectata castitas* – by the purity that the sight of her has made known and proven, by the very visible signs that tell the spectator of her virtue. All that follows is a direct result of this display of Lucretia's virtue (here the virtue is *castitas*, purity in her disposition generally),³² and the narrative is a grave reminder of the consequences of offering such a display to the wrong kind of eyes.

Why does Lucretia's *castitas* so turn Tarquinius on? Manifest virtue, of course, has its own beauty, as we saw in Propertius' exhortation to his mistress in the previous chapter.³³ However, in Livy's tale, Tarquinius' *mala libido* ('evil impulse')³⁴ goes beyond a physical response to the woman's beauty, to incorporate motivations that we might today initially judge to be beyond the sexual. The sight of *castitas* inspires Tarquinius to desire to desecrate that purity, and to do it *per vim* ('by force'). The phrase *per vim* is important here, and I shall try to draw out its subtleties in this and subsequent chapters. It appears to suggest that he will physically force her to have sex, and indeed this is how the story is understood by many modern commentators, who denote Tarquinius' action 'rape'.³⁵ In fact, as we shall see below, Tarquinius' route to sexual intercourse with Lucretia is far more complicated than the translation 'force' or 'violence' might suggest. Another meaning of *vis* is 'power', and a consideration of the implications of this is helpful in understanding what Tarquinius hopes to achieve by having sex with Collatinus' wife: sex with Lucretia is an assertion of power over her after his humiliating defeat at the hands of Collatinus, when his own household was vividly shown to lack the excellent qualities that the other man's possessed.

Let us examine the next instalment of the narrative:

paucis interiectis diebus Sex. Tarquinius inscio Collatino cum comite uno Collatiam venit. ubi exceptus benigne ab ignaris consilii cum post cenam in hospitale cubiculum deductus esset, amore ardens, postquam satis tuta circa sopitque omnes videbantur, stricto gladio ad dormientem Lucretiam venit sinistraque manu mulieris pectore oppresso, 'tace Lucretia,' inquit, 'Sex. Tarquinius sum; ferrum in manu est; moriere si emisericis vocem.' cum pavida ex somno mulier nullam opem, prope mortem imminentem videret, tum Tarquinius fateri amorem, orare,

³¹ Desire aroused by the gaze is a common theme of ancient Greek and Roman literature, cf. Eur. *Hipp.* 525–6 and Prop. 2.15.11–12: *oculi sunt in amore duces for loci classici*. For beauty as a spur to lust and rape see Index below, ad loc.

³² See my Introduction, p. 30 for the meaning of *castitas*.

³³ Prop. 1.2.1–8, see pp. 74–5 above. ³⁴ Livy 1.57.10, see p. 86 above.

³⁵ See e.g. Donaldson 1982 *passim*, Dixon 2002: 45–6. There are similar debates about the role of *bia* in Greek literature about transgressive sexual intercourse, on which see Omitowoju 2002.

miscere precibus minas, versare in omnes partes muliebre animum. ubi obstinatum videbat et ne mortis quidem metu inclinari, addit ad metum dedecus: cum mortua iugulatum servum nudum positurum ait, ut in sordido adulterio necata dicatur. quo terrore cum vicisset obstinatam pudicitiam velut victrix libido, profectusque inde Tarquinius ferox expugnato decore muliebri esset, Lucretia maesta tanto malo nuntium Romam eundem ad patrem Ardeamque ad virum mittit, ut cum singulis fidelibus amicis veniant; ita facto maturoque opus esse; rem atrocem incidisse. Sp. Lucretius cum P. Valerio Volesi filio, Collatinus cum L. Iunio Bruto venit, cum quo forte Romam rediens ab nuntio uxoris erat conventus.

A few days later Sextus Tarquinius came to Collatia with one companion without Collatinus' knowledge. He was courteously received by those who suspected nothing, and when after dinner he had been led into the guest bedroom, blazing with love, after it seemed safe enough and everyone seemed to be asleep, with a drawn sword he came to the sleeping Lucretia and pressing down with his left hand upon the woman's breast he said, 'Don't make a sound, Lucretia. I am Sextus Tarquinius; there is a sword in my hand. You will die if you cry out.' When, terrified from her sleep, the woman saw that there was no help at hand and that she was threatened with death, then Tarquinius began to profess his love, to beg, to mix threats with pleas, to manipulate the woman's mind in every way. When he began to realise that she was resolute and that not even fear of death would change her mind, he added dishonour to the fear: he told her that he would place a naked slave with his throat cut beside her dead body, so that it would be said that she had been slain in a despicable adultery. When triumphant lust had conquered resolute *pudicitia* with this dreadful threat, and savage Tarquinius had left there with a woman's honour overcome, Lucretia, grieving over such wickedness, sent the same messenger to her father at Rome and her husband at Ardea, telling them to come with a few trusted friends; they should hurry; something terrible had happened. Sp. Lucretius came with P. Valerius, son of Volesus, and Collatinus came with L. Iunius Brutus, with whom by chance he was returning to Rome when he had met the messenger sent by his wife (Livy 1.58.1–6).

Tarquinius executes his plan swiftly – within a few days he has returned to the house with an accomplice, welcomed as a guest by the unsuspecting Lucretia. Just what the men in the opening scene might have feared for their wives in their absence is about to happen. He enters Lucretia's bedroom armed with a drawn sword and his first act is literally to press down upon her, overpowering her (*oppresso*): with one hand he crushes her, in the other he wields his weapon. And then, as she become cognisant of her situation, of the threat of death that hangs over her, of her own impotence and the absence of others to come to her aid, he begins, not to climb into bed with her, not to strip off her clothes, not to rape her . . . but to woo her. After he has obtained her compliance with his order for silence his first act is to declare his love for her, and then to beg and plead with her, and to try every

method of persuasion he thinks likely to sway a woman in order to get her to have sex with him.

Tarquinius' prayers and arguments are no doubt an assault of a kind, and the sword is still in his hand or at least within reach. Yet this is hardly a simple act of physical violence. His role is one that in modern terms would blur the boundaries between 'lover' and 'rapist'. Livy makes it clear that his actions are inspired by some kind of love, not only by lust: he is blazing with love, or at least with *amor*, the Roman concept that most closely corresponds to 'love' (*amore ardens*).³⁶ His goal is to persuade Lucretia, not to brutalise her, and then eventually, when she proves resistant to his advances, to 'persuade' her, mingling threats with his pleas. The aim of his persuasion is sex with Lucretia, but the course that his persuasion hopes to take is not clear from the passage. Does he at first hope to win her love in return, and that she will be complicit in their liaison? Or is her willing participation unimportant to him, keen only that she shall lay herself open for the satisfaction of his own desires? The answers to these questions would make all the difference to a modern reader in terms of understanding the nature of the situation and of Tarquinius' assault, but it seems that these nuances are not as significant for Romans.³⁷

In any case, the weapons of Tarquinius' assault on Lucretia are words, words that threaten violence perhaps, but nevertheless the words rather than the violence itself. Indeed, the words that strike home in the end are those that threaten Lucretia not with violence, but with disgrace (*dedecus*).³⁸ What finally overcomes Lucretia, and forces her to yield to Tarquinius' demands for sex, is neither the fear of death nor the physical force itself, but rather the terror of *what people might think*. Tarquinius threatens to kill a slave and lay his naked corpse beside her own, as if the pair had been caught and killed in the middle of sexual intercourse. And strikingly Lucretia judges it preferable actually to suffer a real 'sordid adultery', than to die pure but subsequently to be reputed to have indulged in one more sordid still. Faced with the horrors of the alternatives before her, she chooses to preserve her reputation rather than her physical integrity; she sacrifices her *pudicitia* (and later her life) in order not to soil her *fama*, public opinion about her. Lucretia's choices are far from enviable, yet it can be said that she has choice and that among the grim possibilities on offer she chooses this. It might be argued that Tarquinius has indeed won her consent to have sex with

³⁶ For some nuances of the Latin term *amor* see Kennedy 1993.

³⁷ See Omitowaju 2002, Introduction. For more on these issues see Chapter 5 below.

³⁸ Etymologically the opposite of the vivid honour of *decus* discussed in Chapter 1.

her. He has forced her (but metaphorically, not physically) into a position where she is constrained to give this consent.

Of the sexual act itself Livy tells us nothing. Tarquinius rides off into the night like a conqueror, having avenged his own defeat in the 'competition of the women'. This final image – Tarquinius triumphant, Lucretia desolate and destroyed – is figured in the text as a contest between the personified figures of *libido* and *pudicitia* themselves. Livy writes: 'when triumphant lust had conquered resolute *pudicitia*' and the adjective that he uses to describe *pudicitia*, *obstinatam* or 'resolute', is the same one that he has used to describe Lucretia herself in the previous sentence; the virtue and the woman are one. Earlier in the text *mala libido* ('evil lust') is described as a force that 'seizes' Tarquinius. *Libido* is the subject of this phrase, subjecting Tarquinius to its force, as if he is the puppet of his own lust. More than a mere encounter between two human individuals, this is an archetypal tale about the clash between vice and virtue; the destructive force of *libido* is victorious, Tarquinius' role is over.

In the subsequent unfolding of the tale the balance will be redressed, but *pudicitia* is gone and will fight no more; it will be for liberty to take up arms against the *libido* of the rulers. Let us rejoin the story as her relatives hurry back to Lucretia's side, to see what are the implications of *pudicitia*'s destruction:

Lucretiam sedentem maestam in cubiculo inveniunt. adventu suorum lacrimae obortae, quaerentique viro 'satin salve?' 'minime,' inquit, 'quid enim salvi est mulieri amissa pudicitia? vestigia viri alieni, Collatine, in lecto sunt tuo; ceterum corpus est tantum violatum, animus insons; mors testis erit. sed date dexteras fidemque haud impune adultero fore. Sex. est Tarquinius qui hostis pro hospite priore nocte vi armatus mihi, sibi que si vos viri estis, pestiferum hinc abstulit gaudium.' dant ordine omnes fidem; consolantur aegram animi avertendo noxam ab coacta in auctorem delicti: mentem peccare, non corpus, et unde consilium afuerit culpam abesse. 'vos' inquit 'videritis quid illi debeatur: ego me etsi peccato absolvo, supplicio non libero; nec ulla deinde impudica Lucretiae exemplo viveret.' cultrum, quem sub veste abditum habebat, eum in corde defigit, prolapsaque in vulnus moribunda cecidit. conclamat vir paterque; Brutus illis luctu occupatis cultrum ex vulnere Lucretiae extractum, manentem cruore prae se tenens, 'per hunc,' inquit, 'castissimum ante regiam iniuriam sanguinem iuro, vosque, di, testes facio me L. Tarquinius Superbium cum scelerata coniuge et omni libero-rum stirpe ferro igni quacumque dehinc vi possim exsecuturum, nec illos nec alium quemquam regnare Romae passerim.' cultrum deinde Collatino tradit, inde Lucretio ac Valerio, stupentibus miraculo rei, unde novum in Bruti pectore ingenium. ut praeceptum erat iurant; totique ab luctu versi in iram, Brutum iam inde ad expugnandum regnum vocantem sequuntur ducem. elatum domo Lucretiae

corpus in forum deferunt, concientque miraculo, ut fit, rei novae atque indignitate homines.

They found Lucretia sitting sadly in her bedroom. When her relatives arrived tears sprang to her eyes, and when her husband asked her 'Are you not well?' she replied, 'No. How can a woman be well when she has lost her *puḍicitia*? There are the traces of a strange man in your bed, Collatinus. Yet it is only my body that has been violated, my mind is innocent. Death shall be my witness. But hold out your right hands and pledge that this adultery shall not go unavenged. It is Sextus Tarquinius who, as an enemy instead of a guest, last night armed and by force took his pleasure which will destroy me and, if you are true men, will destroy him too.' All in turn made the pledge; they consoled the distressed woman by removing the blame from her as the victim of force to the author of the crime; they said that it is the mind that commits wrong, not the body, and where there had been no intention there was no guilt. She said, 'You will see what he deserves. I, even though I absolve myself from all wrongdoing, must still pay with my life; no *impudica* shall ever live from now on with Lucretia's example.' A knife, which she was holding concealed in her dress, she plunged into her heart, and collapsing onto her wound she fell down dying. Her husband and father cried out; while they were occupied with their grief, Brutus drew the knife from Lucretia's wound and held it before him, dripping with gore, 'By this blood most chaste before the royal injury I swear, and I make you gods my witnesses, that I shall pursue L. Tarquinius Superbus and his wicked wife and every offshoot of his line with sword with fire with whatever violence I can, and shall not suffer them nor anyone else to rule in Rome.' Then he handed the knife to Collatinus, and then to Lucretius and Valerius, as they stood amazed by the miracle of the thing, whereby a new personality had been born in the breast of Brutus. They made the oath as he had ordered, and all of them turned from grief towards anger, they followed Brutus as their leader as he called on them to overcome the monarchy. They carried the body of Lucretia from her home and bore it into the forum, and people gathered there because this new turn of events was so miraculous and so appalling (Livy 1.58.6–59.3).

When the men that she has summoned arrive, Lucretia tells them that her *puḍicitia* is lost and gone (*puḍicitia amissa*), and she asks them rhetorically what life can have to offer a woman in her position. The *stuprum* that she has suffered has utterly destroyed, as we saw above, this quality, and has transformed her from the model wife into something else – a body that bears the imprint of another man, a woman who can never be well again. In the marital bed, Collatinus' bed (*lecto tuo*), which as we saw in the previous chapter stands for the marriage itself, there are now 'the traces of an another man', an intruder (*vestigia viri alieni*).³⁹ The marriage,

³⁹ For the topos of traces of another man in a marital bed see Ogilvie 1965: 224; cf. Prop. 2.9.45 and parallels collected by Shackleton Bailey 1956, including Tib. 1.9.57, Ov. *Am.* 1.8.95.

the relationship between Collatinus and Lucretia, has been damaged by Tarquinius' act (indeed one might suggest that this was its very aim).

The account locates the issues of *pudicitia* in the conflict between male and female subjective consciousness, between body and mind, between internal and external moral control and between the need to see virtue and the potential for misleading signs. Lucretia's claim that *pudicitia* is destroyed and her marriage is thereby damaged locates the quality of *pudicitia* soundly in her body, and does not allow it to be a quality of her moral subjectivity. Yet in the lines before we saw *pudicitia* as a resolute force of virtue, identified with the resolutely virtuous woman herself, pitched against *libido*, undoubtedly a part of Lucretia's inner moral defences. Herein lies a central paradox in Roman ethical thought. *Pudicitia*'s position is always hard to pinpoint: it is at once a moral force that drives the individual's actions *and* an attribute of the body, vulnerable to the physical assault of the sexual act. Lucretia's situation therefore epitomises the moral crisis at the heart of the mind/body dichotomy and her next phrase makes this very clear: her body has been violated, while her *animus*, her moral will, is *insons* – innocent.⁴⁰ Lucretia's moral strength and rectitude (*pudicitia*) are unimpeached by Tarquinius' act, yet with the unwanted touch of a man's body her *pudicitia* has evaporated. *Pudicitia* is both a moral and a physical quality, and when the intention of the individual and the experience of their body diverge, as they do in the case of Lucretia, the outcome is bewilderment and tragic uncertainty.

If the important part of Lucretia, her mind, her personality, is innocent, why then must she die? Almost every Roman reader of Livy's text must have known from the outset of Lucretia's death and its inevitable role in the progress of the narrative. Its startling brutality is necessary for the impact of the tale. Yet although the narrative tradition renders it an inescapable consequence of the sexual act, Livy's retelling makes it clear that it was not the only possible consequence, that Lucretia's decision to kill herself is not uncontroversial. The controversy – epitomised in this tragic waste of the life of an excellent woman – is dramatised by the response of the men to her words and deeds. Her father and husband, far from discarding her immediately as a woman who has lost her value to them along with her *pudicitia*, do their best to persuade her from seeing herself in this light. They argue that Tarquinius, and Tarquinius alone, is the guilty party, she is the innocent victim. Using the same dichotomy of body and soul as she

⁴⁰ On the tradition of the mind/body split in Western thought, particularly as it relates to the female self, see Bordo 1993.

has they tell her that the body cannot be responsible for wrongdoing, that this is the domain of the mind, and that no blame can fall upon her when she was a wholly unwilling participant in the act.⁴¹ Lucretia conceals her weapon from them until the last minute, with the implication that had they known of it they would have attempted to prevent her from taking her own life. When she falls down lifeless they let out cries of pain and grief. Lucretia is a paragon of virtue: we know this from Livy's narrative and her relatives know this when they hear what she has undergone. Yet she dies the violent and untimely death of a criminal, leaving her relatives grief-stricken behind her.⁴²

For Lucretia is determined that death shall be a witness to her innocent mind. There can be no other witness. This is one of the key problems with *pudicitia*. Who can provide evidence about the intention, the moral will and the virtue in Lucretia's mind, especially when her body has betrayed that will? In such circumstances a woman's inner state is unknowable. *Pudicitia* starkly poses the question of how other people, men, and most vitally her husband, can know a woman's inner state, and the story demonstrates the problems caused by the inability of interpenetration of subjective consciousnesses. The problem is particularly acute when one of the subjects is a woman and the other a man in a culture that privileges a male viewpoint and construes a female mentality as other and hard to fathom.⁴³

Lucretia agrees with her men-folk that she bears no guilt, yet she maintains that she must nevertheless bear the *supplicium*. This word can mean punishment, and Lucretia (or Livy through her speech) is playing with the term – since she is not guilty this is not so much punishment as paying the price. She is taking the punishment that would have been due to a woman who had committed *stuprum* willingly, whose *animus* had been corrupted together with her *corpus*. Thereby she makes it impossible, as she says, for any woman in the future to think that she might be able to get away with adultery by exploiting the difficulty of ever truly ascertaining a woman's intention. Lucretia declares that she must kill herself because it is the only way in which a woman can prove that her participation in a sexual act was unwilling. Any woman, Lucretia implies, might *claim* after the act that she had been unwilling, but Lucretia *proves* her own unwillingness by giving up

⁴¹ Other Romans also attempted to solve the dilemma in similar ways; among ancient sources we find Publ. *Sent.* 640: 'it is the will and not the body that makes someone *impudicus*' (*voluntas impudicum, non corpus facit*) and Sen. *Phaedr.* 735: 'the mind and not the situation makes someone *impudica*' (*mens impudicam facere non casus solet*); cf. Ovid's exhortation to Corinna at *Am.* 3.14.13. Cf. Ogilvie 1965: 224, who recalls a legal distinction between crimes that are *dolo malo* and *sine dolo*.

⁴² For more on the ethics of suicide in ancient Rome see Chapter 3 below.

⁴³ On subjective consciousness and gender see de Lauretis 1990 and cf. my Introduction, pp. 7–8.

her life – a gesture of integrity. If she had lived, *pudica* as she was, then she could have provided an *exemplum* of *impudicitia* for other women because they could have had sex with men who were not their husbands and then claimed that they were forced into it against their will, citing Lucretia as a chaste precedent. Since the willingness or unwillingness of a woman is, despite the cult, despite the competitions, in the end invisible, and her *pudicitia* is an elusive quality, there is no way of proving otherwise.⁴⁴ It is not so much that Romans were uninterested in whether a woman was a willing participant in sex or not, but that (from a male point of view) it would be too dangerous for them to allow this to be a factor in deciding guilt.

This story of female virtue is also, then, about the problematic unknowability of that virtue. Lucretia dies because words are not enough to reveal her moral qualities. Only by voluntarily bringing about her own death and by arguing that this death was an unavoidable consequence of the *stuprum* can she prove that she could not have willingly submitted to Tarquinius. Lucretia's suicide is also a sacrificial offering of herself for the good of Roman society (and for the birth of the Republic): ridding Roman history of a potentially corrosive example, providing other women with a good *exemplum*; her death is a guarantee that *pudicitia* will be allowed to flourish in the future.

At the beginning of the tale Lucretia is the ornament of her husband's household, a means to his glory – she is observed and judged and unwittingly kindles lust in one of her observers. However, from the moment that Tarquinius enters her room and her *pudicitia* is threatened, she blooms into subjectivity and activity: her decisions and courageous implementation of these decisions drive the course of the tale. She assesses the situation, she stands firm in the face of flattery and menaces, and once she is overcome and abandoned she summons the men, speaks out to tell them what has occurred and how the situation should be interpreted, demands that they formally pledge to avenge her, and then plunges a knife into her own heart.⁴⁵

Although Lucretia proclaims that it is women whom she envisages following her example, one of the most significant aspects of her deed is the effect that she has upon men and upon the action outside her home in the forum and on the battlefield. Lucretia shows physical courage, resolve to go beyond the moral requirements of the situation (to a miraculous

⁴⁴ Later authors such as St Augustine exploited this loophole to imagine that Lucretia had enjoyed the sex with Tarquinius; see Donaldson 1982, esp. 36–7.

⁴⁵ Cf. Valerius Maximus in Chapter 3 below, pp. 143–4, 170–8.

extent), concern that the terrible state in which she finds herself should be exploited for the good of her country and for the coming generations – all these qualities, shown to be part and parcel of her virtues as a *matrona*, resonate far beyond. Lucretia's deed has an inspirational effect upon one of the men who witness it: Brutus in particular is transformed from a man who hides his true worth under the façade of an idiot into a man of action who will mobilise the avengers of Lucretia and subsequently end up as the first consul of the new Roman Republic. That this is an astonishing moment in the story is brought home by the reaction of the other men in the room, who stand amazed at the actions of a new Brutus.⁴⁶ Brutus is the agent who will publicise Lucretia's act to the people, displaying the *pudicitia* to the whole community in the form of Lucretia's corpse.

Livy's version of this tale emphasises the idea that *pudicitia* is something one *sees* and displays, and explores its ramifications. Collatinus is adamant that it is only in person and with their own eyes that the men will truly be able to know whose wife is the best, yet at the same time it is because Lucretia's *pudicitia* is so triumphantly eye-catching that it is placed in danger and ultimately destroyed. The story suggests the potential flaws in the use of *pudicitia* as social control. Lucretia's resistance to Tarquinius, for instance, crumbles under the weight of the visual combined with an acknowledgement of the power of the visual to deceive. Lucretia ensures by yielding to him that we will never see the sight of the butchered slave and herself lying in her bed naked and side-by-side. It is the threat of such a display that wields the most power against her. Yet the sight would have told us something which in any case was not true: that the two of them had been surprised in adulterous sex. This optical illusion was more to be feared than *stuprum* and death themselves. Finally, it is the sight of Lucretia's dead body and the virtue that it conveys that spur the people to revenge. *Pudicitia* is visible even after death – even after the person herself is no more – and it is the spur to action in both Collatia and Rome.

⁴⁶ Until this moment Brutus has seemed no more than an incidental character who just happened to be travelling with Lucretia's husband when she summoned him to her side. All good Romans know, of course, that he is merely waiting in the wings until his moment comes; indeed, this is as much his story as it is Lucretia's. We have met Brutus in 1.56.7 where he is introduced as a young man who, in order to protect himself from the paranoid executions of his uncle, has long concealed his true qualities and pretended stupidity until his time should come. Inspired by Lucretia's death, he then leads the people of Rome in war against royal rule, and takes up Lucretia's sword against Tarquinius. He displays Lucretia's corpse in Collatia and then moves on to Rome where he makes a speech in the city centre 'about the violence and lust of Sextus Tarquinius, the unspeakable *stuprum* against Lucretia and her pitiful death . . . and the arrogance of the king himself' (1.59.8–9), inspiring the masses to drive out autocratic rule.

THE OVERTHROW OF THE DECENVIRI: THE VERGINII

In Book 3 of Livy's history a story is told whose pattern of events is in some ways very similar to the story of Lucretia found in Book 1 – the terrible inexorable lust, the death of an innocent and virtuous woman, the political revolution that transforms the face of Roman politics. Lest we should miss the point, Livy introduces this second narrative by drawing these explicit comparisons:

sequitur aliud in urbe nefas ab libidine ortum, haud minus foedo eventu quam quod per stuprum caedemque Lucretiae urbe regnoque Tarquinius expulerat, ut non finis solum idem decemviris qui regibus sed causa etiam eadem imperii amittendi esset. Ap. Claudium virginis plebeiae stuprandae libido cepit.

Another evil deed born from lust followed in the city, with a no less dreadful outcome than that which had driven out the Tarquins from the city and their rule through the *stuprum* and violent death of Lucretia. Not only did the decemviri come to the same end as the kings, but there was the very same reason for their loss of power. Appius Claudius was seized with the desire to inflict *stuprum* on a plebeian virgin (Livy 3.44.1).

In place of the kings (replaced now by annually elected consuls), the abuser of power is Appius Claudius, a patrician and member of the group of decemviri, a body that has been set up to codify the laws. In her discussion of this story, Janan argues that it conveys the idea that law is always partial and abusive.⁴⁷ Once again status and power are at stake; just as Tarquinius wanted to ruin the triumphant household of his humbler kinsman, Appius wants to spoil plebeian virtue as embodied in the virgin Verginia, because it devalues the patrician claim to moral superiority.

pater virginis, L. Verginius, honestum ordinem in Algidio ducebat, vir exempli recti domi militiaeque. perinde uxor instituta fuerat liberique instituebantur. desponderat filiam L. Icilio tribunicio, viro acri et pro causa plebis expertae virtutis. hanc virginem adultam forma excellentem Appius amore amens pretio ac spe perlicere adortus, postquam omnia pudore saepta animadverterat, ad crudelem superbamque vim animum convertit. M. Claudio clienti negotium dedit, ut virginem in servitutem adsereret neque cederet secundum libertatem postulantibus vindicias, quod pater puellae abesset locum iniuriae esse ratus. virgini venienti in forum – ibi namque in tabernaculis litterarum ludi erant – minister decemviri libidinis manum iniecit, serva sua natam servamque appellans, sequique se iubebat: cunctantem vi abstracturum. pavida puella stupente, ad clamorem nutricis fidem Quiritium implorantis fit concursus.

⁴⁷ Janan 2001: 150–6.

The girl's father, L. Verginius, held a high rank in the army on Mount Algidus, and was a man of upright example in both domestic and military affairs. His wife had been raised in the same way, and their children were being raised accordingly. He had betrothed his daughter to a tribune, L. Icilius, a fierce man of proven courage on behalf of the plebeian cause. Appius, crazed with love, approached this grown-up virgin of great beauty with the intention of seducing her with bribes and promises. However, when he realised that she was wholly guarded with *pudor*, he turned his mind to cruel and arrogant force. He engaged his client M. Claudius to claim the virgin as a slave and not to yield to those who demanded possession of her until the trial was held. Since the girl's father was away, he thought this a good opportunity for wrongdoing. As the girl came into the forum – for the grammar schools were held there in the stalls – the servant of the decemvir's lust laid his hand on her, saying that she was the child of one of his slave girls and a slave herself, and ordering her to follow him; if she resisted he would take her away by force. The girl was speechless with fear, and the shouts of her nurse appealing to the protection of the Quirites raised a crowd (Livy 3.44.2–7).

A pointed comparison is drawn between the tale that follows and the story of Lucretia that has been related two books earlier. The very same phrase that we saw used of Tarquinius in the previous tale is here used to describe Appius Claudius succumbing in his turn to the destructive forces of lust: *Ap. Claudium virginis plebeiae stuprandae libido cepit* ('the desire to debauch the plebeian virgin seized Appius Claudius').⁴⁸ He too is seized by the desire to desecrate the purity of a woman lower in status than himself. This time the object of the man's desire is a woman with a different sexual status, a virgin girl rather than a wife, and the quality that stands to be destroyed by *stuprum* is correspondingly different: the purity and sanctity of virginity rather than that of the marital bed. The cause, the driving force behind the events – *libido* – is the same, and the outcomes, the overthrow of those in Rome who abuse power, are parallel. The repetition of narrative structure, and the emphatic reminder of this repetition which introduces the story of the overthrow of the decemviri, suggest a causal link between the different elements: the power that is not used well, the lust for the destruction of sexual purity, the thrust of liberty.

Further structural similarities between the two narratives swiftly become clear. Like Lucretia, this girl is extremely beautiful and chaste, and these qualities have attracted the attention of a man who has no scruples about abusing his position. Towards the end of both stories male relatives will display the female's lifeless corpse to the public gaze, as a step towards mustering retribution. At the sight of Verginia's corpse the people lament the beauty that was her downfall: *puellae infelicem formam* – 'the girl's

⁴⁸ Livy 1.57.10, see above, p. 86 and p. 88.

unlucky beauty'. Tarquinius abuses his welcome as a guest into the house of Collatinus, as Lucretia points out; Appius is soon to abuse his official position as a legal magistrate in order to gratify his shameful desires. Like Tarquinius, Appius first tries persuasion and seduction; he tries to win her over by offering money and making promises. As Lucretia is not to be swayed, even by fear, this girl is protected – *saepta*, literally fenced in and inaccessible – because of her *pudor*, the sense of shame that polices her behaviour.⁴⁹ And so, like Tarquinius, Appius resorts to *vis*, and the description of this *vis* as *superba* (arrogant, domineering, trampling upon the needs of others) is surely meant to remind us of the epithet of the last king, Tarquinius Superbus, the uncle of Lucretia's *stuprator*.⁵⁰

An examination of the nature of the force which Appius employs to take possession of the girl will give us fresh insights into the significance of the term *vis* in such cases, and add to my earlier discussion about the nature of the force that Tarquinius brings to bear against Lucretia. Appius is not royalty, he is a patrician and a decemvir, and just as Tarquinius stood for the oppression of tyranny, so Appius stands for the arrogance of the higher patrician caste, which deprives the lower plebeian caste of rights. He is a powerful figure in Rome whose power derives from offices and resources: specifically his ability to command clients to work on his behalf, and his capacity to arrange that he will be the magistrate who sits in judgement over the question of to whom the girl belongs: Verginius or Claudius. He plots to bring the girl into his own possession by falsely establishing that she is a slave of his client Claudius and not the freeborn daughter of Verginius; then there can be no bars to his lust – a servile body is not protected by the forces of *pudicitia*.⁵¹ When the barriers of her free birth have thus been removed he can treat her as he wishes. The plot is dastardly because, although Claudius' initial claim that the girl is his is indignantly disputed by all those who hold the names of her father and fiancé in high regard, when the dispute is taken to arbitration the participants find themselves in a court presided over by Appius himself.

His judgement is of course in Claudius' favour. His influence is such that despite the evident injustice of his decision and the indignation of the crowd no one can stand against him. He has all but got away with it, when two important men arrive who are not prepared to give in without a fight: her grandfather and her fiancé Icilius. Icilius speaks out:

⁴⁹ See Kaster 2005. For *saepta* referring to the protection of *pudicitia* see Chapter 7 below, pp. 324, 326.

⁵⁰ Cf. Fisher 1992 on *hybris*.

⁵¹ On sex with slaves, see e.g. Williams 1999: 30–8. See also the Introduction above, and Chapter 7 below.

‘ferro hinc tibi submovendus sum, Appi,’ inquit, ‘ut tacitum feras quod celari vis. virginem ego hanc sum ducturus nuptamque pudicam habiturus. proinde omnes collegarum quoque lictores convoca; expediri virgas et secures iube; non manebit extra domum patris sponsa Icili. non si tribunicium auxilium et provocationem plebi Romanae, duas arces libertatis tuendae, ademistis, ideo in liberos quoque nostros coniugesque regnum vestrae libidini datum est. saevite in tergum et in cervices nostras: pudicitia saltem in tuto sit. huic si vis adferetur, ego praesentium Quiritium pro sponsa, Verginius militum pro unica filia, omnes deorum hominumque implorabimus fidem, neque tu istud unquam decretum sine caede nostra referes. postulo Appi, etiam atque etiam consideres quo progrediare. Verginius viderit de filia ubi venerit quid agat; hoc tantum sciat si sibi huius vindictis cesserit conditionem filiae quaerendam esse. me vindicantem sponsam in libertatem vita citius deseret quam fides.’

‘You must remove me at sword point, Appius, to keep quiet what you wish to conceal. I am to marry this virgin and I will have a *pudica* bride. So call all the lictors of your colleagues, order the rods and axes to be prepared; the fiancée of Icilius will not remain outside her father’s house. Even if you have taken away from us the tribunician aid and the right of appeal of the Roman plebs – the twin fortresses for the protection of liberty – your lust is not therefore granted governance over our children and our wives. Vent your brutality on our backs and on our necks: let *pudicitia* (at least) be safe. If you use force against this girl I, on behalf of my fiancée, shall call on all the Roman citizens present, Verginius, on behalf of his only daughter, will call on the soldiers, we shall all call on gods and men, and you shall carry out this decree over our dead bodies. I command you Appius to consider once again where you are heading. Verginius will decide what he should do about his daughter once he arrives; let him know only this: if he yields to this claim of possession he shall have to find another match for his daughter. I would rather lose my life defending my fiancée’s liberty than lose my integrity’ (Livy 3.45.6–11).

As one might expect from the earlier characterisation of Icilius as a fierce young man,⁵² this is a forceful speech. He cuts right to the heart of the situation, identifying Appius’ lust as the motivation behind the claim that Verginia is a slave,⁵³ and pinpointing the threat of sexual defilement that hangs over her. Icilius is the spirited champion of the plebeians and he brings politics into his attack on Appius, drawing a similar connection between politics and sex as do the structures of Livy’s text. He compares Appius’ abusive rule over the plebeians in the political realm with the rule of his lust over the plebeian wives and children. The term he uses for this latter

⁵² Livy 3.44.3.

⁵³ A kind of inversion of situations found in new comedy, where girls who have seemed to be slaves or courtesans, and therefore not of marriageable status, are found in fact to be citizens, enabling the match to take place, see Chapter 4 below.

rule is *regnum* – kingship – another word evocative of the paradigmatic story of the first book. In his comparison, Icilius pictures Appius about to step from the first abuse of power to the second, drawn further down the path of vice and corruption. Icilius, threatening to muster all the forces of Roman society – citizens, soldiers, the gods – seeks to prevent him from exercising this extreme form of abuse.

His speech is full of reference to physical violence, from the opening image of the sword of Appius raised against him. He jeeringly suggests that Appius summon the resources in his possession as Roman magistrate: the rods and axes of the lictors which traditionally stand for the corporal and capital punishment which the magistrates can use against the people, as a means of controlling crime. Here they are instruments not of the sanctioned power of the Roman magistrates, but of the abuse of that power: flogging and execution of Roman citizens. Twice he says that he is prepared to sacrifice his life to prevent Appius from carrying out his plan. If Appius chooses to use force, Icilius warns him, it will *have* to be a murderous force, since Icilius will not cease to resist him until he is dead. In Icilius' speech the force with which Appius' *libido* threatens the girl is analogous both to his magisterial and political power, and to physical violence: beatings and murder. *Libido* is a threat both to the elusive quality of liberty and to the tangible body.

Icilius casts *pudicitia* itself as something quasi-corporeal when he makes it the counterpart of the backs and necks of the citizens on which the abusive blows of the patricians fall. We can bear the outrage of patrician assault against those parts of the body which are traditionally submitted to physical punishment, Icilius tells him, but spare us our *pudicitia*, we cannot bear that you strike against this.⁵⁴

Icilius makes no suggestion that *pudicitia* is an internalised moral quality. We know that Verginia has shown moral backbone in her resistance to Appius' initial advances – she was protected by her own *pudor*. Yet this will not be enough to make Icilius value her as a wife; if she nevertheless loses the quality of *pudicitia* through contact with Appius she will have no further interest for him and he will no longer contemplate marriage with her. Icilius makes no reference to her possible subjective moral stance – it is of no matter to him whether she is complicit in her abduction or whether she vehemently resists it. This statement of Icilius makes the situation chillingly clear: 'if Verginius yields to Appius' claim of possession then he

⁵⁴ For the connection between social status and protection from both physical violence and sexual penetration see Walters 1998.

shall have to find another person to marry his daughter to'. Icilius will not accept the damaged goods that Verginia will become after contact with Appius. Verginia is not yet a wife, but it is her potential matronal status that makes *pudicitia* a requirement. As his wife-to-be, she is a wife in the making and must be *pudica*.

Unlike Lucretia, Verginia is not a moral subject, nor even a grammatical subject, of the narrative that focuses the activity of men upon her body. In all the horrors that she suffers, the only subjective response that is attributed to the girl is fear when Claudius first apprehends her on her way to school. She controls none of the action; indeed she is never mentioned by name. The story is emphatically not about female subjectivity, and the quality, or virtue, of *pudicitia* is not represented as a girl's control over her own sexual behaviour. The moral agents of the story are the men in her life, primarily her fiancé Icilius and her father Verginius. Whereas Lucretia directs and inspires her own husband and father through her words and deeds, Verginia says and does nothing; she is the passive instrument of the men. Though she is primarily an instrument of their personal fulfilment – Appius wants sex and to spoil plebeian virtue, Icilius wants a wife and family, Verginius wants the legitimate continuation of his line – yet the shadow of greater political aims touches the whole story. While it is her body and her *pudicitia* that the men are fighting over, both sides politicise their opponents' motivations. Icilius, as we have seen, claims that Appius' scheme to get his hands on a plebeian virgin is a symptom of his abuse of the oppressive authority he wields as a decemvir over the plebeians. Appius counters by accusing Icilius of being a political agitator, exploiting the situation by stirring up seditious plots against the patricians. Like Lucretia, Verginia is a symbol of the body politic; her *pudicitia* is a precious communal possession, and when it is taken from them Roman citizens turn out to fight.⁵⁵

At any rate, Icilius' outburst succeeds in delaying the execution of Appius' plot for the time being, since Appius agrees to postpone the judgement until the following day in order that her father may be present, and to allow her to be held in the custody of her friends until then rather than by Claudius. The following day the sun rises on a new scene, a scene of anticipation and fear, and the attention of the narrative turns to Verginius himself, who is brought onto the scene in a deliberately dramatic and emotive fashion:

at in urbe prima luce cum civitas in foro expectatione erecta staret, Verginius sordidatus filiam secum obsoleta veste comitantibus aliquot matronis cum ingenti advocacione in forum deducit. circumire ibi et prensare homines coepit et non orare

⁵⁵ On the politics of this foundation tale see Joplin 1990 and Joshel 1992a.

solum precarium opem, sed pro debita petere: se pro liberis eorum ac coniugibus cotidie in acie stare, nec alium virum esse cuius strenue ac ferociter [fortiter] facta in bello plura memorari possent: quid prodesse si incolumi urbe quae capta ultima timeantur liberis suis sint patienda? haec prope contionabundus circumibat homines. similia his ab Icilio iactabantur. comitatus muliebris plus tacito fletu quam ulla voce movebat. adversus quae omnia obstinato animo Appius – tanta vis amentiae verius quam amoris mentem turbaverat – in tribunal ascendit, et ultro querente pauca petitore quod ius sibi pridie per ambitionem dictum non esset, priusquam aut ille postulatim perageret aut Verginio respondendi daretur locus, Appius interfatur . . .

As the day dawned on the city, and the citizens gathered in the forum were tense with anticipation, Verginius, dressed in mourning clothes, led his daughter in her mourning dress into the forum, accompanied by a group of *matronae* and a huge entourage. He began to circulate through the crowd, addressing individuals, and not simply to beg them to help him, but to seek repayment of a debt. He said that he had stood his ground on the battlefield daily on behalf of their wives and children. They would not be able to find any man who had performed so many brave deeds in war. 'Yet what was the use of keeping our city safe if our children must fear the kind of treatment meted out to captured peoples?' Men surrounded him as he spoke, as if he were addressing a public assembly. Icilius made similar claims. The group of women impressed the crowds not by any speech, but with their silent weeping. But oblivious to all of this, and with his mind set – so great a force, of madness rather than of love, had disturbed his mind – Appius went up to the tribunal. Claudius was protesting that the previous day the law had not been applied properly because of partiality, but before he could finish his statement, or Verginius had a chance to reply, Appius intervened . . . (Livy 3.47.1–4).

Appius gives Verginius no opportunity to present his case, but cuts in with his breathtakingly unjust decision: the girl is a slave. As Claudius moves to take possession of her, and the women around her raise their lament, Verginius, holding out his arm towards Appius, begins to speak:

'Icilio', inquit, 'Appi, non tibi filiam despondi et ad nuptias non ad stuprum educavi. placet pecudum ferarumque ritu promisce in concubitus rure? passurine haec isti sint nescio; non spero esse passuros illos qui arma habent.'

'I betrothed my daughter to Icilius, Appius, not to you, and I brought her up for marriage and not for *stuprum*. Will you rush into random fornication like beasts in the field or wild animals? I know not whether the people here will stand for it; I hope that those who have weapons will not do so.' (Livy 3.47.6–7).

Verginius accuses Appius of lacking the self-restraint that should mark a human being out from dumb animals, and of ignoring the civilising boundaries that Roman society has placed around sexual behaviour. His words contrast Icilius, the legitimate claimant upon the girl, with Appius,

and marriage, the legitimate institution within which she will surrender her virginity, with *stuprum*. An upright citizen such as Icilius does not blindly follow the forces of *amor* and *libido*, but receives a girl through a formal *condicio*, a settlement in agreement with her own family. Icilius is prepared to wait for his possession of Verginia, while Appius is impatient for his.

The rules and guidelines that structure sexual behaviour in Roman culture are designed to repress the dangerous headlong rush of lust, and Appius is a case-study of the dangers of failing to do so.⁵⁶ No longer in control of the situation, he has now lost his mind. Livy comments of him 'so great a force, of madness rather than of love, had disturbed his mind' (47.4). Yet the two alternatives, *amentia* and *amor*, recall the phrase used of Appius at the beginning of the tale, *amore amens*, 'mad with love', and although Livy now suggests that it would be more accurate to call the force that continues to drive Appius down his terrible path 'madness' rather than 'love', there is no doubt that we are meant to understand a causal connection: Appius' abandonment to his sexual desires has driven him mad. The description of him as he begins his response to Verginius underscores this connection: 'the decemvir driven out of his mind towards lust' (*decemvir alienatus ad libidinem animo*) – here *libido* is his destination rather than his spur.

Now Appius once again has recourse to the political arguments which Icilius threw up against him and he uses the pretext of the need to quash seditious uprising to obtain the sex that is his true goal. Again he accuses Verginia's relatives of organising a movement against the establishment. Faced with this threat of violence the crowd melts away, and, as Livy puts it, 'the girl stood abandoned as prey to his attack' – *desertaque praeda iniuriae puella stabat* (3.48.3). The term *praeda* – prey – which describes her recalls Verginius' earlier reference to the sexual habits of wild animals, to which his daughter is now exposed. It also makes reference to his earlier appeal to the people in the forum: 'What use is it if our city is safely defended, if our children must fear the kind of treatment meted out to captured peoples?' (3.47.2); *praeda* is the term for military booty or spoil taken after battle, which might indeed have included people, especially women and children, taken as slaves or raped there and then.⁵⁷ The use of this vocabulary here reminds us that Appius' deed is that of Rome's worst enemy. Above all, the phrase highlights the passive status of the girl: she is objectified as booty, as a prize over which men are fighting. She simply stands there and awaits her fate.

⁵⁶ See Joshel 1992a for the story's enactment of the suppression of lust. See Braund and Gill 1997 for the control of passions in Roman thought.

⁵⁷ See Evans 1991 for the fate of Roman women and children at war.

In the following scene her fate is sealed as Verginius seizes control of the situation. Realising that there is no longer any hope, he pretends at last to acquiesce to Appius' demands, but requests one moment in which to question the nurse.

data venia seducit filiam ac nutricem prope Cloacinae ad tabernas, quibus nunc Novis est nomen, atque ibi ab lanio cultro arrepto, 'hoc te uno quo possum' ait 'modo filia, in libertatem vindico.' pectus deinde puellae transfigit, respectansque ad tribunal 'te', inquit, 'Appi, tuumque caput sanguine hoc consecro.'

When this indulgence was granted him he took the girl and her nurse aside to the stalls near the Cloacina, which are now called the New Stalls, and here, taking a butcher's knife from his cloak he said: 'This is the only way, my daughter, in which I can deliver you into freedom.' Then he stabbed the girl through her heart and turning to the tribunal said: 'By this blood, Appius, I bring down vengeance upon your head' (Livy 3.48.5).

Verginius decides to kill his daughter rather than allow her *pudicitia* to be destroyed by Appius. This is a terrible decision to have to make,⁵⁸ but Verginius has no resources left to him other than a butcher's knife and an extraordinary determination not to allow his only daughter to be ruined by falling into the clutches of Appius.

Much is contained within Verginius's brief valedictory to his daughter. Here he describes what he is doing as an assertion of liberty (*te . . . in libertatem vindico*). His desperation is expressed most vividly in the deed itself of course, but he emphasises to his daughter that this is the only course that he can take. *Vindico* means to protect in a legalistic sense: by destroying his daughter's life he is paradoxically protecting the only things she possesses that really matter – her freedom and her *pudicitia*. By taking her life he is saving her from a life without them. Lucretia, as we saw, didn't *have* to kill herself, but by doing so she made the boldest of statements about the importance of *pudicitia* and this was a statement that she felt needed to be made, making it her only true option. Likewise murder of his daughter was not the only route open to Verginius, and to follow it took a courage and grit to equal that of Lucretia, but it was the only route that was uncompromising in its allegiance to virtue. The actions of Lucretia and Verginius are linked by their means (both employ knives to bring about death) but primarily because both are permeated with the agonies of taking the hardest of decisions between terrible alternatives: to sacrifice a life that

⁵⁸ The horrors of this Roman trope are explored in Valerius Maximus Books 5 and 6, discussed in Chapter 3 below.

is dear, the life of an innocent, for the sake of *pudicitia* and of the greater good.

The word *vindico* also bears intimations of possession; it can mean to lay legal claim to something.⁵⁹ By killing her, and thus depriving Appius of the possibility of ever reaching her, Verginius is asserting his ownership of his daughter's body. Lastly *vindico* suggests Verginius' avenging spirit (since it can mean 'to bring vengeance'), as born out in his closing words to Appius, on whom he calls down retribution.

These words are first addressed to the daughter herself, the last words that she hears, and then to Appius. Later, Verginius addresses his soldiers in an attempt to justify his terrible deed and to win their support:

orabat ne quod scelus Ap. Claudii esset sibi attribuerent neu se ut parricidam liberum aversarentur. sibi vitam filiae sua cariorem fuisse, si liberae ac pudicae vivere licitum fuisset: cum velut servam ad stuprum rapi videret, morte amitti melius ratum quam contumelia liberos, misericordia se in speciem crudelitatis lapsum; nisi superstitem filiae futurum fuisse, nisi spem ulciscendae mortis eius in auxilio commilitonum habuisset.

He begged them not to attribute Appius' wickedness to himself nor to shun him as a murderer of his children: the life of his daughter would have been dearer to him than his own, had she been able to live on free and *pudica*; when he saw her seized as a slave for *stuprum*, he considered it preferable to lose children through death than through abuse. It was because of compassion that he had slipped into what looked like cruelty. Indeed he would not have survived his daughter were it not that he hoped that her death might be avenged with the help of his fellow soldiers (Livy 3.50.5–7).

The fact that Verginius is shown giving this speech and mustering these arguments confirms that his killing of his daughter does not necessarily appear at once to others to be the obvious and just response to the situation. Rather it is an action that may be controversial and needs defence. Like Lucretia, Verginius has faced a moral dilemma, and decided on an alternative that is outrageous yet courageous.

The narrative brings about the destruction of an ideal domestic unit – the one that we saw at the start of the tale.⁶⁰ Verginius appeals to the men as fathers, brothers and husbands of women of their own, who may yet be vulnerable to Appius' *libido*, which will still flourish even when Verginia is gone.⁶¹ The wider social implications of the event are brought out by several points in Livy's telling. Appius' treatment of Verginia is interpreted by people in Livy's text as part of a full scale onslaught against the freeborn

⁵⁹ Dig. 6.1.

⁶⁰ Livy 3.44.2.

⁶¹ Livy 3.50.7–8.

status of the plebeian people, a matter of concern for all plebeians. The use of power to inflict *stuprum* on someone less powerful is, in Livy's work (and elsewhere in Roman sources), the most exquisite manifestation of abuse of power.⁶² Where, in a Roman work, concern is expressed about power that is wielded ill very often it will include accusations that it is being used to procure *stuprum* in some way – sexual fulfilment that can only be obtained through the violation of a freeborn Roman.⁶³

All freeborn women and children in Rome are at risk from *libido*, and these women and children themselves protest about this exposure to harm, making plain the connection between liberty and *pudicitia*:

prosequuntur coniuges liberique, cuinam se relinquerent in ea urbe in qua nec pudicitia nec libertas sancta esset miserabiliter rotantes.

Their wives and children followed, asking pitifully to whom they were to be abandoned in that city in which neither *pudicitia* nor freedom were sacrosanct (Livy 3.52.4).

Later the event is retold within the text as a story with wide resonance beyond its own day: 'a new story about a virgin so foully pursued in the service of lust' (*nova fama de virgine adeo foede ad libidinem petita*). At 3.61 Verginia's story is cited as an exemplary tale to rouse the soldiers on the battlefield to fight for their freedom against the threat of the Volscians. Once again the text draws an analogy between Appius' treatment of Verginia and the violence that a defeated Rome would suffer at the hands of triumphant national enemies:

unam Verginiam fuisse cuius pudicitiae in pace periculum esset, unum Appium civem periculosae libidinis; at si fortuna bella inclinet, omnium liberis ab tot hostium periculum fore.

There was only one Verginia whose *pudicitia* was put in danger during peacetime, there was only one Appius, citizen of dangerous lust; but if fortune tends towards war everybody's children will be in danger from a multitude of enemies (Livy 3.61.4).

An important element of Livy's account of this traditional story is men fighting with words or weapons to protect their own women and children

⁶² On the political implications of the sexual acts see in particular Joplin 1990, Joshel 1992a and Calhoon 1997. On the hierarchical structures of sexual relationships see my Introduction and also e.g. Richlin 1992a, Walters 1998, Parker 1998a.

⁶³ See Chapter 7 below in particular for the theme of abuse of political power expressed through the concept of *pudicitia*.

from whatever threat may loom over their *pudicitia*,⁶⁴ and the complementary notion that *pudicitia* is a communal possession vital for the wellbeing of the community, closely akin to *libertas* – freedom itself.⁶⁵

LUCRETIA AND VERGINIA / A . . . AS A PAIRING

These two archetypal *pudicitia* stories often appear both in ancient and post-classical literature, including modern scholarship, as a pair. Yet it is important to clarify the distinction between them; there is a crucial difference between their ancient and modern categorisations.

Modern sources tend to call them the stories of ‘Lucretia’ and ‘Verginia’ (the daughter),⁶⁶ to emphasise the parallels between Lucretia and Verginia as two female bodies which play similar narrative roles as sacrifices for institutional change,⁶⁷ and indeed to see them as more or less the same tale.⁶⁸ This misses a key distinction between the tales that is highly revealing of Roman ideology. In the Latin texts Lucretia is always cited as the protagonist of the first tale, but in the second tale the protagonist is usually not Verginia, but Verginius, with a supporting role from Icilius. The name ‘Verginia’ is rarely used: she is almost always referred to as the girl, the daughter, the fiancée, according to her relationship to the men.⁶⁹ The parallel to the heroism of Lucretia’s suicide is Verginius’ agonising murder of his cherished daughter: it is this decision to destroy a body through violence and the implementation of this which form the crux of both tales. For instance Cicero writes: ‘Lucretia . . . killed herself . . . L. Verginius . . . killed his

⁶⁴ This need for Roman men to act as soldiers protecting their women and children against sexual assault is a recurrent theme of Roman literature; see below, p. 120, p. 271 and p. 294. For wives and children as the valued possessions of the state to be protected by men and soldiers in Livy’s history, see 1.9.8; 2.1.4; 2.38.3; 3.7.7; 3.45.8; 3.47.2; 3.54.8; 4.28.5; 5.2.10; 5.38.5; 5.39.9; 5.49.3; 6.33.7; 7.30.21; 7.11.6; 8.10.3; 8.15.3; 8.19.12; 8.25.5; 8.37.9; 8.37.11; 21.13.6; 21.14.3; 21.30.8; 22.10.8; 23.7.9; 23.42.5; 24.23.1; 26.13.12; 26.25.11; 27.17.16; 27.51.7; 28.19.11; 28.22.6 (all precious belongings heaped on pyre with women and children on the top); 29.8.8; 29.17.20; 30.32.19; 31.14.12; 31.18.6; 32.16.16; 34.7.1; 34.35.1; 38.15.41; 38.18.14; 38.19.1; 38.25.7; 38.25.11; 38.43.2; 39.15.14; 40.3.5; 40.38.3; 40.57.6; 41.6.10; 41.11.4; 43.7.11; 43.19.12; 45.1.10; 45.24.11.

⁶⁵ For the close relationship between *pudicitia* and *libertas* in Roman thought see also below, p. 156, p. 258, p. 263, p. 281, p. 295, p. 329.

⁶⁶ E.g. Moore 1993: 39; Joshel 1992a whose subtitle is ‘Livy’s Lucretia and Verginia’; Cantarella 1987: 129–30; Kraus 1991: 315.

⁶⁷ Calhoun 1997: 151: ‘Together with Verginia’s, [Lucretia’s] story is representative of an established narrative tradition that employs sexual offenses as a metaphor for political oppression . . .’

⁶⁸ Particularly stark is Fantham 2002: 28. Cf. Cantarella 1987: 129–30: ‘The syntactic structure of the two legends is almost identical.’ Cf. Donaldson 1982: 7: ‘The story of Appius and Verginia appears to be merely a reworking of the story of Lucretia.’ Moore 1993 puts both in his category of ‘suffering women’.

⁶⁹ Exceptions are Sil. 13.825–7, Juv. 6.294 and Sen. *Contr.* 1.5 – all cases where women are linked through their victimhood.

virgin daughter with his own hand' (**Lucretia** . . . *se ipsa interemit* . . . **L. Verginius** . . . *virginem filiam sua manu occidit*).⁷⁰ Or compare Calpurnius Flaccus: 'Verginius avoided this form of violence with parricide; it was on account of this Lucretia buried her sword in her breast' (*hanc vim Verginius parricidio fugit; propter hanc Lucretia pectus suum ferro fodit*).⁷¹ Both citations bring two stories into comparison through deliberate verbal echoes: *fugit* (fled) is echoed by *fodit* (buried); *se ipsa* (she . . . herself) balances *sua manu* (with his own hand). The comparison being made is always between Lucretia and Verginius.⁷²

This is significant because these two figures represent two important models of heroic *pudicitia* in Roman thought, as we shall see in the following chapter: the defence of one's own body and the protection of the vulnerable body of another (despite the fact that in Livy's account Verginius is not described as possessing the virtue of *pudicitia* himself – it is located in the women and the children). Verginia is less significant in Roman thought because, never acting as a moral agent on behalf of *pudicitia*, she fits neither of these models. To modern readers the similarities between Lucretia and Verginia, the two women, are often seen as more important, and many modern feminist scholars, for example, re-employ the tale of Verginia to their own (valid but anachronistic) ends.⁷³

THE CENTURION AND THE CHIEFTAIN'S WIFE (LIVY 38.24.2–9)

The following story, told in Book 38, is much later in date, and its setting is far from Rome.⁷⁴ It is a more succinct narrative than the preceding pair, and unlike the tales from early Rome that we have been reading so far it is not embedded in Roman domestic history in a way that has obvious implications for a grander political narrative. Instead it is set in the context of the expanding Roman empire and the spread of moral corruption that is depicted by Livy as being one of its unwelcome consequences. The story engages with poignant issues about how to wield imperial power; the abuser

⁷⁰ Cic. *Fin.* 2.66. See further Chapter 6 on Cicero. ⁷¹ Calp. *Decl.* 3. See further Chapter 5.

⁷² See also e.g. Cic. *Rep.* 2.63, Val. Max. 6.1.1–2, Flor. 1.1.7.24.

⁷³ Donaldson 1982 comments that the different ways that these tales have been focalised through the ages throw an interesting light on the *exempla* tradition and the manipulation of narratives.

⁷⁴ It is introduced as a *facinus memorabile* (a memorable deed), a phrase that pointedly evokes the Roman *exemplum*, and the phrase *ut traditur* ('so the story goes'), used towards the end of the narrative, represents this as a traditional tale. It is possible that this story was first told by Polybius, who would have been an almost contemporary source. There are echoes of the story of Panthea in Xenophon's *Cyropaedia* (6.1.45–6, 7.3.14); as well as the biblical tale of Judith and Holofernes, on which see Elser 2002.

in this case is a Roman soldier, with no special social clout within the context of Roman society, yet powerful by virtue of being Roman with respect to his foreign prisoners of war. Like the story of Lucretia, it opens in a military encampment and many other elements of the earlier paradigmatic tale are present in this later narrative too; Lucretia's tale has been dismembered and reassembled, so that Livy may further explore the issues it raises:

ubi cum stativa essent, facinus memorabile a captiva factum est. Orgiagontis reguli uxor forma eximia custodiebatur inter plures captivos; cui custodiae centurio praeerat et libidinis et avaritiae militaris. is primo animum temptavit; quem cum abhorrentem a voluntario videret stupro, corpori, quod servum fortuna erat, vim fecit. deinde ad leniendam indignitatem iniuriae spem reditus ad suos mulieri facit, et ne eam quidem, ut amans, gratuitam. certo auri pondere pactus, ne quem suorum conscium haberet, ipsi permittit ut quem vellet unum ex captivis nuntium ad suos mitteret. locum prope flumen constituit, quo duo ne plus necessarii captivae cum auro venirent nocte insequenti ad eam accipiendam. forte ipsius mulieris servus inter captivos eiusdem custodiae erat. hunc nuntium primis tenebris extra stationes centurio educit. nocte insequenti et duo necessarii mulieris ad constitutum locum et centurio cum captiva venit. ubi cum aurum ostenderent, quod summam talenti Attici – tanti enim pepigerat – expleret, mulier lingua sua stringerent ferrum et centurionem pensantem aurum occiderent imperavit. iugulati praescisum caput ipsa involutum veste ferens ad virum Orgiagontem, qui ab Olympo domum refugerat, pervenit. quem priusquam complecteretur, caput centurionis ante pedes eius abiecit, mirantique cuiusnam id caput hominis aut quod id facinus haudquaquam mulieris esset, et iniuriam corporis et ultionem violatae per vim pudicitiae confessa est aliaque ut traditur, sanctitate et gravitate vitae huius matronalis facinoris decus ad ultimum conservavit.

While they were stationed here, a memorable deed was performed by one of the captive women. The wife of the chieftain Orgiago, an outstandingly beautiful woman, was being held prisoner among many other captives, and the centurion guarding her was more than usually endowed with the lust and avarice of a soldier. At first he made an attempt on her mind, and when he realised that she was horrified by the idea of voluntary *stuprum*, he used force against the body that had the misfortune to be a slave. Then, in order to alleviate the humiliation of the injury, he offered the woman the hope of returning to her people; yet not even that did he offer for free, as a lover might have. Having settled the price at a certain amount of gold, he allowed her to send as a messenger to her own people whomever of the captives she wished, so as not to take one of his own men as an accomplice. A place near the river was agreed upon, where no more than two of the captive woman's relatives should bring the gold on the following night, to collect her. By chance the woman's own slave was also among the guard's captives; the centurion led him out of the military compound as soon as it got dark. On the following night the two relatives of the woman and the centurion with his prisoner came to the agreed place. While they were showing him the gold, which amounted to the

sum of an Attic talent, as had been agreed, the woman in her own tongue ordered them to draw their swords and kill the centurion as he weighed the gold. They slit his throat and she took his severed head wrapped in her dress and carried it to her husband Orgiago, who had escaped home from Mount Olympus. Before she embraced him she threw down the centurion's head at his feet; as he wondered whose head this was or what this most unfeminine deed might be, she confessed to her husband both the assault on her body and the avenging of *pudicitia* violated by force, and they say that in the purity and gravity of her life in other ways she preserved until the end the honour of her matronal deed (Livy 38.24.2–9).

Again the familiar elements are there: the woman is strikingly beautiful, lust is a driving force, once again her assailant first tries the route of seduction and persuasion, focusing his initial attack upon her mind, before he meets her staunch resistance and mounts a direct assault on her body. In all the cases we have encountered so far such 'wooing' works upon the moral sensibilities of the woman, but is unsuccessful; the man must turn to violence. This time, however, Livy introduces the intriguing concept of 'voluntary *stuprum*', to which the centurion tries at first to tempt the woman. *Stuprum* is not merely something that is inflicted by one person upon another, it may be the product of collusion between the two. This idea certainly creates a space for the agency or attitude of the woman involved to make a difference in how we judge transgressive sex. As in the case of Lucretia, the sexual threat has prised her moral sensibility away from her physical state – her *animus* from her *corpus*. The narrative raises the question once again of what avenues are open to one when the mind can no longer protect the body, or govern its experience. How can such a situation be understood in moral terms?

The narrative follows a similar structure to that of the story of Lucretia: a wife is defiled; she describes to her husband the injury (*iniuria* – a word that occurs often in all three narratives)⁷⁵ that she has suffered; she enlists the help of her relatives in vengeance, and once again her virtue shines through in her violent response to her physical pollution by sex. Lucretia brings out of her cloak before her husband's eyes the sword with which she will dispatch herself, while the wife of the chieftain is concealing in the folds of her dress a severed head, the evidence of violence already accomplished. Nevertheless, for both women this object that they produce from their garments will be the instrument of proof of virtue.

After they have been forced to submit to another, and to serve as the object of another's lust, these women regain control of the situation and

⁷⁵ Livy 1.59.1, 3.44.5 and 9, 3.45.4 and 6, 3.46.5 (twice), 3.48.3, 3.50.8, 3.53.9 and 38.24.4 and 9; the word is a technical legal term, see my Introduction, pp. 21–2.

become subjects again. Both women speak influentially and use speech as a means of control: to control other people, to control their futures and to control the way that they are perceived.⁷⁶ It is because the women say the things that they do that they are judged to be virtuous, and that they become the paragons of *pudicitia*. In other words, in cases such as these, knowledge about the virtue of a woman can only come from the words of the woman herself. The women in these stories have power over the way in which they are viewed by other people, and in the end it is *they* who create their own exemplarity. The interrelation between words and display in these tales is complex: a graphic gesture proves the veracity of the spoken word; the words explain the deeds. The stories dramatise the problems caused by the fact that, despite the best efforts of society's visual code, you can't tell just by looking or even by listening what a woman's moral attitudes are.

We saw why Lucretia 'had' to die (and why, although her death is avenged, the death of Tarquinius is deferred). We may ask why this woman, then, can live. This new (foreign) tale explores a different kind of ending (a particularly satisfying ending for a modern reader): the villain bites the dust in a central act of violence and the heroine lives on. In the light of the preceding story of Lucretia, the outcome may seem somewhat uncomfortable, since husband and wife must live out the rest of their marriage in the knowledge that another man has taken possession of her body. Yet what at first appears to the husband to be a most unfeminine deed turns out in fact to be on the contrary an act most suited to a *matrona*: an act which demonstrates her *pudicitia*. However, because this woman is a foreigner and not a Roman *matrona*, she does not need to provide the moral role model that Lucretia does; she is free from the constraints of Roman exemplary history.⁷⁷

As in the case of Appius, the centurion's status as lover is questioned: the fact that he subsequently negotiates a price for the woman he has compelled to have sex with him suggests a lack of compassion towards her. Avarice is the new vice that brings about his downfall. If he had not been so keen to

⁷⁶ This is a rather different and more 'optimistic' interpretation of the narratives than the persuasive and valuable reading found in Joshel 1992a, who reads the stories of Lucretia and Verginia as being about the silencing and effacing of Woman so as to remove from society the disruptive force of sexual desire.

⁷⁷ A kind of parallel might be found in the story of Judith's triumphant decapitation of Holofernes, on which see Elser 2002, who makes the comparison briefly, noting however that in this example, as in others of classical heroism reported by Plutarch, the woman lures the man into a position where he is then killed by other men; Judith kills Holofernes herself, is already widowed and does not have sex with him (20 n.19).

ransom his victim, perhaps he would have survived. This exchange of gold means that there is a delay in leaving, giving the woman an opportunity to communicate with her relatives. It is while he is involved in weighing out the gold that they are able to cut his throat. Once again, this detail of a self-contained story reflects the broader narrative of Livy's work: avarice is the new vice, creeping into Roman culture through the military. Livy as much as calls lust and avarice the vices of a soldier, describing them as *militaris* (military).⁷⁸

The story also illustrates the consequences of a lack of cultural sensitivity that speaks to the Roman ethics of imperial rule. There is another reason for the centurion's lack of awareness: the plot which is formed in his presence is in code, it is impenetrable to him, in a way that the woman's body was not. Like Lucretia, the chieftain's wife has power which lies in her speech and in the help from her kin that speech can muster. How did that Roman centurion allow a foreigner to order her people to kill him right in front of his very eyes? Why did it not occur to him to listen to the foreign tongue and pay attention to the communication going on between this group of people? The woman he is treating as an object of exchange, and is about to hand over to her own people for money, speaks out imperiously (*imperavit*). But so little respect does this man have both for a language he cannot understand, and for the phenomenon of a woman speaking, that he pays no attention. He has no idea that she is ordering them to kill him. He has treated her as if she were a slave for his own purposes, and failed to give her the respect that a free married woman should be accorded. Yet once her context is changed and she is out of the Roman camp, she regains the power that belongs to her status as wife of the leader, and gains command of her people.

What are we to make of this insistent repetition of narrative elements throughout? It is a feature not only of Livy's text, but of Roman culture and literature more generally, as we shall see; patterns of thought and narrative are entrenched and reiterated.⁷⁹

All three stories we have examined so far describe sexual intercourse as being obtained by force or *vis* (although Appius' plan alone does not come to fruition). Yet in every case this *vis* involves force that is not merely physical, but carries some of the metaphorical sense of the English words 'force' or

⁷⁸ Cf. Chapter 3 below, pp. 186–9.

⁷⁹ For the phenomenon in Livy see Walsh 1961: 191–218. For the repetition of the Lucretia model see Kraus 1991 on the story of Fabia at 6.34.5–35.1.

‘power’. Tarquinius forces Lucretia by threatening her with disgrace. Appius and the centurion both take advantage of power accorded to them by their position in the Roman hierarchy as patron and magistrate and guard. Appius tries to engineer a dramatic change in Verginia’s social status, while the centurion exploits the unfortunate circumstances of war which wreak similar changes on those who are defeated; both seek to take advantage of the women’s servile status, which means that their bodies can be used as the men wish. *Vis* is not simply physical violence, rather it includes a range of disruptive or malign powers that derive from social status, wealth, personal qualities or official position and can be used to exert pressure upon another. On the other hand, the slippage between the different nuances of *vis*, together with the events of each tale, highlight the danger that political, legal and social power will spill over into violence and abuse. The stories seek to seal off one meaning from another, by doling out punishment to those who make the wrong use of their *vis*, but they also highlight their proximity – frequently the two are indistinguishable.

In all cases it is emphasised that it is the women’s *bodies* that are violated (or stand to be violated), and not their minds, which resist the force applied to them. With their bodies is violated *pudicitia*, which is presented as a corporeal virtue. Lucretia’s *pudicitia* is *violata* – conquered and destroyed. Yet *pudicitia* is at the same time figured as a mental and moral attribute, and Lucretia and Orgiogo’s wife nevertheless retain their moral integrity despite this violation.

The phenomenon of *stuprum* emerges from these tales as one that presents a challenge to our own categories of sexual ethics. It embraces phenomena that modern eyes would often see as distinct (though related, and with the distinctions problematic): seduction, persuasion, coercion, exploitation, violent rape. In modern western sexual ideology the distinction between the processes of ‘seduction’ and ‘rape’ is a crucial one, even when the boundary between the two is most hotly debated. They are felt to have different motivations and to be experienced differently by both parties.⁸⁰ In Livy’s tales, the crucial distinction is rather between the mind and the body, and it is in the contested space occupied by this distinction that the dynamics of power and conflict are played out. These are seen to be not only the two parts that go to make up the individual, but the two points of vulnerability in a woman’s person (and indeed in a man’s person).⁸¹ Livy’s stories vividly dramatise this duality and the conflicts that can arise from it.

⁸⁰ For discussion of these issues and further bibliography see Omitowoju 2002.

⁸¹ See n. 40 above.

THE BACCHANALIAN SCANDAL (LIVY 39.8–19)

The fourth of Livy's narratives in which the concept of *pudicitia* plays a key role is rather different. It describes the notorious episode of 186 BCE, when the Roman senate intervened in ritual practice of citizens in the city and in neighbouring areas and suppressed the celebration of the cult of Bacchus, known as the Bacchanalia.⁸² The senate's actual decree on this occasion survives in the form of a bronze inscription of a proclamation issued to the Italian allies (the *senatusconsultum de bacchanalibus*) banning shrines and participation in rites, with the effect of extending the senate's jurisdiction throughout Italy and proclaiming senatorial authority over the provinces.⁸³ This provides some historical corroboration of Livy's account, which has also been read as influenced by or even based upon popular theatrical versions of the tale.⁸⁴

In Livy's account the senate's discovery and suppression of the secret horrors that have spread through the neighbouring cities from the East are precipitated by the unfolding story of a young man called Aebutius. His is the *pudicitia* that is at risk in this case. For the first time it is that of a young man – no child, but on the brink of adulthood – already sexually active (and in a loving relationship with a freedwoman who works as a prostitute), yet still under the guardianship of his mother and stepfather, and under twenty years old. This narrative offers us Livy's only indication that a man may be subject to the same vulnerabilities as married women or young girls.⁸⁵

Yet this is also a story whose narrative structures are evidently topsy-turvy. In this narrative the ultimate source of evil and corruption are women, and in a further ironic inversion of what we have found in the previous tales, it is Aebutius' family which instigates the threat to his *pudicitia*, and his whorish ex-slave girlfriend Hipsala – having a status that excludes her from the protection of *pudicitia*⁸⁶ – who seeks to protect him and his *pudicitia*. Aebutius' stepfather wants to destroy him, and he hits on the idea of making use of the prevalent Bacchic rites. Contact with these would destroy Aebutius as surely as sex with Tarquinius destroyed Lucretia and Claudius would have destroyed Verginia (according to the worldly

⁸² On the incident see Gruen 1990: 34–78.

⁸³ Gruen 1990: 36–9 and 65–78; the inscription is *CIL* I.196.

⁸⁴ See Wiseman 1998a and 2000. Walsh 1996 comments briefly that stage productions must have influenced Livy.

⁸⁵ In other sources this is a central attribute of *pudicitia* – see further Chapters 3, 6 and 7 below.

⁸⁶ See Introduction p. 22 above for the legal position of freedwomen.

Hipsala). When she hears that he is to be initiated into these rites at the request of his mother and stepfather, she correctly diagnoses the situation:

vitricus ergo, inquit, tuus (matrem enim insimulare forsitan fas non sit) pudicitiam famam spem vitamque tuam perditum ire hoc facto properat.

‘Then your stepfather’, she said ‘(for perhaps it wouldn’t be right to implicate your mother in this) is determined to bring about through this deed the destruction of your *pudicitia*, your reputation, your future and your life’ (Livy 39.10.4).

As in the case of Lucretia and the Verginii, *pudicitia*, *fama* and life and hopes for the future are all intimately bound up with one another. But what is Aebutius’ *pudicitia* and how will it be destroyed? It is clearly not, in his case, the state of being entirely sexually untouched (what we might term ‘virginity’), since he is already in the sexual relationship with Hipsala. Nor is he married, so it is not a question of a quality that parallels Lucretia’s allegiance to her one husband. Like these women he stands to be corrupted and ruined through the destruction of his *pudicitia*. Four times the practices of the cult are described in a crescendo that elaborates each time further upon the central detail. These descriptions, discussed below, come first in the authorial voice, as Livy sets the scene, then twice in the voice of Hipsala, who first seeks to dissuade Aebutius from allowing himself to be initiated, and then informs the consul of what is going on, and finally in the voice of the consul Postumius, in a speech that he delivers in the forum and before the Roman people. Each version has its own kind of authority: that of the author, of the initiate or of the leader.

(i) *Livy’s narrative voice*

initia erant quae primo paucis tradita sunt, dein vulgari coepta sunt per viros mulieresque. additae voluptates religioni vini et epularum, quo plurium animi inlicerentur. cum vinum animos [. . .]⁸⁷ et nox et mixti feminis mares, aetatis tenerae maioribus, discrimen omne pudoris exstinxissent, corruptelae primum omnis generis fieri coeptae, cum ad id quisque quo natura pronioris libidinis esset paratam voluptatem haberet. nec unum genus noxae, stupra promiscua, ingenuorum feminarumque erant, sed falsi testes falsa signa testamentaque et indicia ex eadem officina exibant; venena indidem intestinaeque caedes, ita ut ne corpora quidem interdum ad sepulturam exstarent. multa dolo pleraque per vim audebantur. occulebat vim quod prae ululatibus tympanorumque et cymbalorum strepitu nulla vox quiritantium inter stupra et caedes exaudiri poterat.

⁸⁷ On the textual lacuna here, see Teubner edition ad loc.

There were initiations that were at first handed down to a few people, but then began to be disseminated among men and women. The pleasures of wine and feasting were added to those of the religious practice, so that the souls of more people were seduced. When the wine had [inflamed] their souls, and the darkness, and the fact that males were mixed in with the women and those of a tender age with their elders, had extinguished every sign of *pudor*, first the corruptions of every kind began to take place, since everyone had means of gratifying the lusts to which nature had inclined them. And there was not just one form of wickedness, the indiscriminate *stupra* of freeborn men and of women, but false witnesses and false documents and wills and forged evidence emerged from the same laboratory; and likewise poisonings and murders of those attending, sometimes so that there were not even bodies remaining to be buried. Many brazen deeds were achieved through deception, most through violence. The violence was concealed because the voices of those calling for help among the *stupra* and the slaughter could not be heard above the wails and the racket of the drums and cymbals (Livy 39.8.5–8).

Livy's authorial account emphasises the indiscriminate nature or 'promiscuity' of the cult practice, not so much in the modern sense of widespread and indiscriminate sexual activity, but in the sense of the mixing together of many different kinds of people – here specified men and women, old and young – and the ensuing confusion of status boundaries.⁸⁸ Such wanton mingling extinguishes *pudor*, and leads to the *stuprum* of freeborn males and women. The passage emphasises the connection of *stuprum* with other kinds of social crime, and its contribution to the breakdown of society.

(ii) *Hipsala's confession to Aebutius*

Hipsala is an initiate of the cult and her descriptions are represented as first-hand evidence that supports Livy's own description; the vocabulary and motifs echo those of the passage above. Hipsala's account, however, addressed to her young freeborn male lover, concentrates on the idea of the young male initiate:

Ancillam se ait dominae comitem id sacrarium intrasse, liberam nunquam eo accessisse. scire corruptelarum omnis generis eam officinam esse; et in biennio constare neminem initiatum ibi maiorem annis viginti. ut quisque introductus sit, velut victimam tradi sacerdotibus. eos deducere in locum qui circumsonet ululatus cantuque symphoniae et cymbalorum et tympanorum pulsu, ne vox quiritantis, cum per vim stuprum inferatur, exaudiri possit. orare inde atque obsecrare ut

⁸⁸ See also the use of the word in Hipsala's testimony at 39.13.10. For 'promiscuous' meaning the mingling between plebeians and patricians see Livy 4.2.6; 4.6.8; 4.43.12; 4.54.5; 4.56.9; 5.55.2; 7.1.6; 7.17.7; 7.21.1; 7.32.13; 10.6.3; for distinction between magistrates and populace, 34.44.5.

eam rem quocumque modo discuteret, nec se eo praecipitaret ubi omnia nefanda patienda primum deinde facienda essent.

She said that when she was a slave girl she had accompanied her mistress to the rites; as a freedwoman she had never gone to them. She knew that it was a laboratory of every kind of corruption, and it was well known that for two years now no one had been initiated who was older than twenty. As each one was introduced into the cult he was handed over to the priests as if he were a sacrificial victim; they led him into a place which resounded with the wails and singing of choirs and the beat of drums so that his screams as they forced *stuprum* upon him could not be heard. And so she begged and pleaded with him that in some way he would break up this plan, and not to throw himself into something where all manner of unspeakable things would first have to be suffered and then perpetrated (Livy 39.10.5–8).

Hipsala's claim that she has not attended the cult since being freed – i.e. since her change in status from slave to freedwoman – emphasises that it is only the free who have something to lose from involvement in the Bacchanalia. The notion of the youth of the initiates is first alluded to, with the suggestion that the reason that the chosen are all under twenty years old is that they are more susceptible to the corruption that the cult desires to inflict. For the effect of the initiation is to transform the young into the same kind of vicious predators as their corruptors, thereby perpetuating the cycle of vice. This transformation is represented as a perverted version of the ceremonies of initiation sanctioned by the state, such as marriage or the dedication of the first cutting of the hair, as the verb *deducere* suggests.⁸⁹ Hipsala warns Aebutius of what he will become: not only will he suffer terrible things but as a consequence he will end up perpetrating atrocities himself. This causal link between the damage done to one's own body and the damage one thereafter inflicts upon the bodies of others will emerge as a key preoccupation of this story and of many other ancient Roman sources discussed in this book: first you are subjected to *stuprum*, and then you become the subject of transgressive lust yourself.⁹⁰

(iii) *Hipsala to the consul*

Hipsala's subsequent description of the cult to the consul, after she has been summoned to give evidence (39.13.8–14), is a very similar but somewhat expanded version of her previous speech to Aebutius, gradually adding more explanation of the various aspects. The rites were originally performed by women only and by day – just as were the highly respectable cults we

⁸⁹ On *deducere* see Chapter 3 p. 144 below.

⁹⁰ See also below Chapter 6, pp. 288, 291, Chapter 7 pp. 354–5.

came across in Chapter 1. Things began to degenerate horribly under the influence of the mixing of men and women and the cover of night (as suggested earlier in Livy's authorial description):

ex quo in promiscuo sacro sint et permixti viri feminis, et noctis licentia accesserit, nihil ibi facinoris nihil flagitii praetermissum. plura virorum inter sese quam feminarum stupra esse. si qui minus patientes dedecoris sint et pigriores ad facinus, pro victimis immolari.

From the time when men and women mingled in promiscuous rites, and the licence of night was added, no crime or scandal was forbidden. There were more *stupra* of men between themselves than of women. If anyone were less keen to suffer disgrace and show commitment to crime, they were made sacrificial victims (Livy 39.13.10–11).

People who 'refused to submit to *stuprum*' (*stuprum pati noluerunt*) were 'disappeared', said to have been carried off by the gods (39.13.13). The restriction to initiates under twenty years old is further glossed: 'they took people whose young age rendered them more susceptible to being led astray and to *stuprum*' (*captari aetates et erroris et stupri patientes*, 39.13.14). By this point the fulcrum of concern is the *stuprum* of men upon men, described as more prevalent than that upon women.

(iv) *The consular speech*

Finally, the consul Postumius' impassioned speech in the forum to the people (39.15–16) is considerably longer again, and draws out many of the implications of the previous passages:

primum igitur mulierum magna pars est, et is fons mali huiusce fuit; deinde simillimi feminis mares, stuprati et constupratores, fanatici, vigilis vino strepitibus clamoribusque nocturnis attoniti.

First, most of them are women, and this was the source of this evil. Then there are men who are almost identical to women, who have suffered *stuprum* themselves and are fanatic *stupratores* of others, crazed by sleepless nights and wine and shouting and nocturnal screams (Livy 39.15.9).

Echoing the themes found in the earlier tales, Postumius calls on ideas about the military force of Rome as primarily concerned with the protection by the men of the vulnerable members of the nation and their *pudicitia*, and he spells out just why men who have been subjected to *stuprum* in this way pose such a threat to society. He questions rhetorically whether the feminised and morally destroyed initiates of the cult could possibly shoulder

the moral and military responsibility that is required of the male Roman citizen:

quales primum nocturnos coetus, deinde promiscuos mulierum ac virorum esse creditis? si quibus aetatibus initientur mares sciatis, non misereat vos eorum solum, sed etiam pudeat. hoc sacramento initiatos iuvenes milites faciendos censetis, Quirites? his ex obsceno sacrario eductis arma committenda? hi cooperti stupris suis alienisque pro pudicitia coniugum ac liberorum vestrorum ferro decernent?

Do you believe that these gatherings are of this type [i.e. legitimate], when they are both nocturnal and involve the free mixing of men and women? If you knew at what age males are initiated you would not only pity them but also feel ashamed (*pudeat*). Do you think, citizens, that young men who have been initiated into these rites should be made soldiers? Should weapons be handed over to them as they are led out of their obscene sanctuary? Shall these men, smothered in the *stupra* of themselves and others, battle with sword on behalf of the *pudicitia* of your wives and children? (Livy 39.15.12–14).

Although Postumius' speech emphasises that it is from women that the forces of evil originate, it is men who play the pivotal role in promulgating the corruption. Once corrupted, specifically by serving as the instruments of other men's lusts,⁹¹ they become corruptors themselves, and are no longer fit to live as good citizens. Just as a woman's *pudicitia* ensures that she fulfils her role in society as a married woman breeding her husband's children, so Aebutius' *pudicitia* and that of young men in Rome is seen as crucial if they are to fulfil a very different role, that of soldier and of protector of the bodies of others in turn, as we see elsewhere in Livy's work.⁹²

We shall see, when we come to look at the literature produced from the Roman tradition of oratory and rhetoric, how *pudicitia* figures as a vital attribute of a Roman male citizen.⁹³ A man must carefully guard his own physical integrity and his reputation. Just as in the case of a *matrona* or *virgo*, this means that he must not submit to the lusts of another man. Hence some have defined *impudicitia* as homosexuality, or more accurately passive homosexuality.⁹⁴ Neither of these is quite right, or at least they both bring to bear on the ancient material a modern concept that skews the sense. As a physical attribute, the *pudicitia* of a man is not *complementary* to that of a woman (i.e. it is not about having sex with a woman before marriage,

⁹¹ Williams 1999 and Parker 1998a would suggest that to serve as the instrument of a man's lust involves being penetrated by him, and that this is what is implied by *stuprum* here. Although penetration is not explicit here, there is certainly an indication of the young man's passivity, which is then converted to activity when he inflicts *stuprum* on others.

⁹² See p. 108 above; cf. Walters 1998. ⁹³ See Chapter 6 below.

⁹⁴ E.g. Sussman 1994, Gunderson 2003.

or being faithful to a wife), it is the *same*, except in so far as in certain circumstances a woman may be legitimately sexually submissive to a man (if he is her husband) whereas these circumstances will never arise for a man.⁹⁵

A key anxiety about the affair, as Livy tells it, is the fear of the perpetuation of corruption through a vicious cycle: when men are subjected to *stuprum* this submission transforms them into abusers themselves. There is an inexorable, exponential, yet largely indiscernible, contagion of the citizen body, that turns ever greater numbers of young citizens into vicious predators upon the rest of society.⁹⁶ This causal link is a rhetorical commonplace, as we shall see in Chapters 6 and 7 below.

CONCLUSIONS

In this and the preceding chapter we have seen that Livy's work has its own particular textual, sexual and political concerns: among them, freedom, social status, abuse of power, and sexual integrity of the vulnerable as vital to the wellbeing of society as a whole. Moore suggests that Livy is an author who is particularly preoccupied with women's sexual purity; this may be to some extent a reflection of the dominant Roman ideology of the day and of the emerging concerns of the late Republic and early Augustan period, that will soon be addressed by the incoming imperial family.⁹⁷ Conversely, it may be the case that Livy's undeniably powerful prose called the attention of his Roman readers to particular aspects of their sexual ethics, and altered the way that they saw their own society and culture. In telling the stories the way they do, Livy's accounts take up the challenges posed by traditional ideas about *pudicitia* such as those that are embodied in cult practice, and lay the knotty parts open for perusal.

Lucretia's story dramatises the crisis of the body/soul split and also the dangers of display of *pudicitia* for all concerned. The story of Verginius elaborates a symbolic association between *pudicitia* and the freedom of the plebs, asserted against the decemviri's attempt to curtail their rights. *Pudicitia* is a possession of the people that is inseparable from their free status; it can be championed by the males who protect it in the bodies of their women and children. In the third tale the predator is a Roman soldier

⁹⁵ There is further discussion of these issues below in the chapters on declamation (5), oratory (6), and imperial narratives (7).

⁹⁶ We might compare the portrayal of the phenomenon to powerful contemporary concepts such as the invasion of the body snatchers or vampires.

⁹⁷ Moore 1989: 160; on the imperial family see Chapter 7 below.

who manifests the dangerous vices of avarice and lust. The foreigners act with more dignity and virtue than the Romans, yet the story also confirms *pudicitia* as a Roman virtue, since the outcome of the tale is different from that of Lucretia's story. Each tale of *pudicitia* polices status boundaries, and portrays Rome as a culture in which dividing lines need over and again to be redrawn. In the first tale the boundary is between royalty and subject, in the second between patrician and plebeian, in the third between Roman and foreign. Finally, the narrative of the Bacchanalia shows that it is not only women who are vulnerable to assaults on their bodies and *pudicitia*. The incident shows how body and mind can be reconciled, since for men the physical involvement in *stuprum* corrupts the mind too, so that a man will subsequently go on to commit worse acts. Men too need to be protected, so that they can function as adequate protectors of society themselves.

The stories we have examined here all describe different kinds of abusive power and their dangers. In them, *pudicitia* is always portrayed primarily as a physical characteristic of integrity usually associated with women, although the work opens up the complexities of a quality that is at once corporeal and mental, at once male and female. Livy's version of events and ideas, though generally the most influential and well-known at least to modern scholars, is not the only way of telling the stories and not the only version of *pudicitia*. Valerius Maximus' versions of the same tales, examined in the [following chapter](#), are very much along the same lines as those of Livy, but they will draw out new issues and throw a different light on the significance of *pudicitia*. First of all, they appear in a chapter devoted to the subject of *pudicitia*, so they are explicitly presented as illustrative of this quality. They are less emphatically embedded in the narrative of early Republican history: the exemplary format partially detaches them from this chronological framework, giving a different slant to the stories.

CHAPTER 3

Valerius Maximus: the complexities of past as paradigm

Our virtues? – it is probable that we too still have our virtues, although naturally they will not be those square and simple virtues on whose account we hold our grandfathers in high esteem but also hold them off a little.

(Nietzsche, *Beyond Good and Evil*, 214, tr. Nietzsche 1990)

In the preceding chapters we have seen how traditional narratives about the founding of certain of Rome's institutions can, on analysis, be shown to illustrate and to probe some of the core issues in Roman sexual ethics. I shall now turn to look in more detail at an important text, Valerius Maximus' *Facta et Dicta Memorabilia* (*Memorable Deeds and Words*), that offers us unique access to the Roman moral tradition. This work is an extensive selection of nearly one thousand traditional Roman *exempla*, organised within categories of vice and virtue according to various moral and rhetorical principles in order to inspire the reader to moral growth.¹

Valerius Maximus' *Facta et Dicta Memorabilia* draws from the same resource of Roman collective cultural memory as does Livy: the familiar body of tales about the exploits of Roman heroes that make up the exemplary tradition of Rome. His traditional stories appear, however, in the clipped form of *exempla*, packaged to persuade with maximum efficiency. In Valerius' text they are not working to enhance any philosophical treatise or political speech; their purpose is avowedly moral. Valerius writes to inspire readers to virtue, to provide them with illustrations of moral qualities and moral issues which provoke engagement and reflection, and to provide role models for them to follow so that they may eventually mould their own behaviour.² The hundreds of numbered sections, now easily accessible individually via modern indices, were originally to be read as a consecutive

¹ For an introduction with bibliography see Langlands 2000, Part I.

² For his own statement of purpose see e.g. 2.1.praef., 3.7.praef., 4.4.1, 4.3.13, 4.6.praef., 4.8.3, or 5.2.ext.4.

whole, taking the reader on a tour through the ethical values and dilemmas of Roman thought.

As with many Roman texts, the intended audience for this work is uncertain. The idea that it was a moralising family text, with a role something like that of the Bible in certain Christian cultures, striving to encompass in accessible form a new moral world order coming into being in a new political era, is dizzyingly attractive, since it would suggest that we might approach the moral processes of a demographic with which scholars may not usually engage, in a time of exciting social change.³ The work, written during the rule of Tiberius (and published c.30 CE), is certainly addressed to the emperor and does speak emphatically of a new world that has been established under his benign rule.⁴ Valerius' world is defined by interlocking moral structures: the multifaceted and delicate relationship between mortals and gods; the Roman heroic code of bold gestures and thirst for recognition and glory; Stoic conflict between the wild impulses of desire and the control of these by the moderating impulses of virtue. The intended reader seems to be envisaged as Roman, or at least Romanocentric, free and male. Yet Valerius also plays with the possibility of different kinds of readers and moral subjects, and explores the implications of virtue manifested in every walk of life. The work is also powered by the passions of revulsion and curiosity at the peculiarities of the human race, but moral didacticism is the overwhelming flavour and its moral vigour was certainly inspirational for generations, well into the middle ages.⁵

No matter who the original readers of the work were intended to be, there is no doubt that the material contained by the work – the distillation of the past for ethical ends – represents a moral tradition that reached far beyond the elite. Valerius is not writing an exploratory or philosophical treatise, he is participating in (and reflecting upon) a moral didactic tradition of teaching about vice and virtue through examples. The work organises and displays by theme deeds of the past, in all their glory, absurdity or depravity, to produce a vast textual exhibition. This is the only extant text that offers us anything in the way of a substantial collection of formal Roman *exempla* qua *exempla*,⁶ despite their centrality to the Roman moral tradition. It offers us a unique glimpse of the tradition in action, a sustained and purposeful

³ This is the argument of Skidmore 1996. See Wardle 1998 for a summary of recent debates about the purpose of the work.

⁴ See the prefaces to Book 1 and Book 2. ⁵ Von Albrecht 1997: 1081–2.

⁶ I.e. as opposed to the more extensive and elaborate versions of traditional narratives as found in, for instance, Livy's work.

display reworking the exemplary material held in the Roman collective memory that aspires to be a guide to the Roman moral universe.⁷

The nine-volume work has a holistic structure, representing a progression through every aspect of humanity arrayed as a vibrant gallery of memorable figures from the past. It begins with a book devoted to the relationship between gods and mortals, moves in the second volume to describe a selection of *mores maiorum* (customs and institutions both of ancient Romans and of foreign peoples), before arriving in the third book at the specific deeds of individuals and the illustration of particular moral qualities that make up the bulk of the work. Towards the end of the work various miscellaneous themes begin to appear, and then the ninth and last book is primarily devoted to deeds performed under the influence of vicious impulses (avarice, lust, cruelty). It is far more than an encyclopaedic collection; the ordering and arrangement of the examples have an important role to play in conveying the moral messages.⁸ Often, by juxtaposing familiar tales and moral principles, the work highlights moral complexity, encouraging the reader to reflect upon comfortable preconceptions.⁹ Whether this is always wholly intentional is unclear; yet there is no doubt that the text is exceptionally revealing of the edifice of Roman ethics at a sub-philosophical level, complete with cracks and subsidence.

Exempla may appear at first to present us with simplified, unproblematic actions that in the pages of other authors seem beset by indecision – thus we shall see in a moment the concision of Valerius' version of Lucretia's story as compared to Livy's. Indeed the purpose of an *exemplum* is often to send an unambiguous message, with interpretation of the narrative directed by authorial comment upon it.¹⁰ However, doubt, conflict, paradox and dangerous extremes are the testing points of ethical principles, and within his conceptual framework of tradition, gods, emperor and above all nation Valerius makes full use of them to stimulate the readers to moral reflection.

One particular focus here will naturally be Valerius' chapter on the subject of *pudicitia*, whose introductory evocation of the deity we briefly looked at in Chapter 1. The chapter begins by describing *pudicitia* as 'the foundation of men and women alike' (6.1.praef.), explicitly introducing the quality as one which engages women as ethical subjects alongside men. We shall discover that the stories offer a curious mixture of heroic protagonists

⁷ David 1998a, Langlands 2000, Part 1.

⁸ Without an index or list of contents it would have been hard to access individual sections without reading the chapters that provide their context.

⁹ See Langlands 2000; the principle will become clear as we progress.

¹⁰ See Guerrini 1980 for a description of the formal structure of an *exemplum*.

within a whole range of narrative structures. The chapter works through a series of models of what exemplary *pudicitia* might look like, encouraging the reader to compare models and wonder about a range of moral issues. I shall begin, however, by looking at its context in this work.

THE *MOS MAIORUM* OF BOOK 2: THE GOOD OLD DAYS

The beginning of Book 2 makes plain the centrality of the theme of sexual morality to the whole work. In this second volume Valerius does not in fact relate exemplary tales so much as describe various key institutions and practices of ancient Rome and of foreign nations; marriage and related customs dominate the opening sections. In his first book he had outlined the various modes of communication between gods and mortals and finished with a depiction of the whims of nature. Now he prefaces his second book with the reiteration of a moral programme in which he urges that the Roman reader must look back to the past in order fully to understand the origins or first principles (*elementa*) of the happy life he or she is now leading under the emperor Tiberius. The word *elementa* has connotations of formal education.¹¹ Valerius suggests that a Roman must learn the basic components of a moral life that are codified in the customs of the days of old as a child learns the alphabet: contemplating these is beneficial to the morals of the present day (*praesentibus moribus*).

He goes on to describe a series of customs practised among the ancients, often providing an interpretation of the custom in terms of the morality of the ancestors, and drawing comparisons between that world and his own. To begin with, the organisation of material in the work places emphasis on the central importance of marital relations and sexual ethics to Roman society: Valerius chooses to begin his evocation of the ways of the ancestors precisely there, with the wedding and the subsequent management of the relationship between husband and wife.

Here is the start of Book 2 in full:

Praef. dives et praepotens Naturae regnum scrutatus, iniciam stilum qua nostrae urbis qua ceterarum gentium priscis ac memorabilibus institutis: opus est enim cognosci huiusce vitae, quam sub optimo principe felicem agimus, quanam fuerint elementa, ut eorum quoque respectus aliquid praesentibus moribus prosit.

1.1 apud antiquos non solum publice sed etiam privatim nihil gerebatur nisi auspicio prius sumpto. quo ex more nuptiis etiam nunc auspices interponuntur, qui quamvis auspicia petere desierint, ipso tamen nomine veteris consuetudinis vestigia usurpantur.

¹¹ See Leigh 1997 especially on Val. Max. 3.praef.

1.2 feminae cum viris cubantibus sedentes cenitabant. quae consuetudo ex hominum convictu ad divina penetravit: nam Iovis epulo ipse in lectulum, Iuno et Minerva in sellas ad cenam invitabantur. quod genus severitatis aetas nostra diligentius in Capitolio quam in suis domibus conservat, videlicet quia magis ad rem pertinet dearum quam mulierum disciplinam contineri.

1.3 quae uno contentae matrimonio fuerant corona pudicitiae honorabantur; existimabant enim praecipue matronae sincera fide incorruptum esse animum qui depositae virginitatis cubile egredi nesciret, multorum matrimoniorum experientiam quasi legitimae cuiusdam intemperantiae signum esse credentes.

1.4 repudium inter uxorem et virum a condita urbe usque ad vicesimum et quingentesimum annum nullum intercessit. primus autem Sp. Carvilius uxorem sterilitatis causa dimisit. qui, quamquam tolerabili ratione motus videbatur, reprehensione tamen non caruit, quia ne cupiditatem quidem liberorum coniugali fidei praeponi debuisse arbitrantur.

sed quo matronale decus verecundiae munimento tutius esset, in ius vocanti matronam corpus eius attingere non permiserunt, ut inviolata manus alienae tactu stola relinqueretur.

1.5 vini usus olim Romanis feminis ignotus fuit, ne scilicet in aliquid dedecus prolaberentur, quia proximus a Libero patre intemperantiae gradus ad inconcessam venerem esse consuevit. ceterum ut non tristes earum et horrida pudicitia sed et honesto comitatis genere temperata esset – indulgentibus namque maritis et auro abundanti et multa purpura usae sunt – quo formam suam concinniores efficiarent, summa cum diligentia capillos cinere rutilarunt: nulli enim tunc subessorum alienorum matrimoniorum oculi metuebantur, sed pariter et videre sancte et aspicere mutuo pudore custodiebatur.

1.6 quotiens vero inter virum et uxorem aliquid iurgii intercesserat, in sacellum deae Viriplacae, quod est in Palatio, veniebant, et ibi invicem locuti quae voluerant, contentione animorum deposita, concorditer revertebantur. dea nomen hoc a placandis viris fertur adsecuta, veneranda quidem et nescio an praecipuis et exquisitis sacrificiis colenda utpote cotidianae ac domesticae pacis custos, in pari iugo caritatis ipsa sui appellatione virorum maiestati debitum a feminis reddens honorem. 1.7 huius modi inter coniuges verecundia.

Having examined the rich and powerful realm of nature, I shall set my pen to the ancient and memorable institutions both of our own city and of other races. For one must understand what are the building blocks of this happy life that we now live under an excellent leader, so that by looking backwards we may bring benefit to the customs of the present.

Among the ancients nothing was undertaken, either in public or private, unless the auspices had first been taken. It is due to this custom that even now auspice-takers have a role in weddings, who, although they no longer seek the auspices, still retain traces of the old custom in their very name.

Women used to dine sitting up while the men reclined. This custom has spread from the banquets of mortals to those of the gods: for at Jupiter's feast while he reclines on his couch, Juno and Minerva are invited to dine on chairs. Our own age has preserved this form of moral rectitude more diligently on the Capitoline

than in our own homes – it seems that it is more important to retain the moral instruction of goddesses than of mortal women.

Those women who were content with one marriage used to be honoured with a crown of *pudicitia*; for our ancestors considered that the mind of a *matrona* was particularly uncorrupted, with the bond of fidelity unbroken, when it did not know how to leave the bed on which her virginity had been laid down, believing that the experience of multiple marriages was a sign of more or less legalised intemperance.

No divorce came between wife and husband for 520 years from the founding of the city. However, Sp. Carvilius was the first to dismiss his wife, on the grounds of sterility. Although his motive seemed pretty reasonable, he did not escape criticism, since they judged that not even desire for children ought to come before commitment to one's spouse.

Then, so that the matronal honour would be more safely guarded by the protection of *verecundia*, they did not allow a person calling to court a *matrona* to touch her body, so that her *stola* would remain untainted by the touch of an unrelated man's hand.

Once upon a time the use of wine was unknown to Roman women, presumably so that they would not slip into some disgrace, since from father Liber the next step towards debauchery is usually towards illicit sex [*venerem*]. However, so that their *pudicitia* should not be harsh and terrifying but also tempered by a decent sort of kindness – for with their husbands' indulgence they made use of abundant gold and much purple dye – so as to bring about a more stylish appearance they painstakingly coloured their hair red with ashes: for in those days there was no fear of catching the eye of a serial seducer of other men's wives, rather innocently seeing and being seen alike were guarded by mutual *pudor*.

Indeed whenever some altercation had arisen between husband and wife, they used to come to the chapel of the goddess Viriplaca (Husband-Pleaser) which is on the Palatine, and here they would take turns to say whatever they had wanted and then go home again in harmony, with the argument left behind. It is said that the goddess got this name by placating the husbands, and she is indeed to be venerated. I am not sure that she shouldn't be worshipped with especially choice sacrifices as the guardian of peace in the everyday domestic situation, in the equal yoke of affection, by her very title rendering the honour due from women to the superiority of their husbands. Thus there was *verecundia* between spouses (Val. Max. 2.praef.–1.7).

Like the ancestors themselves, who allegedly sought the approval of the gods for every action, Valerius begins with the auspices. Here is made the first of several comparisons between the past (*apud antiquos*, 'among the ancestors') and the present (*etiam nunc*, 'even now'). In Valerius' day, the marriage ceremony still bears vestiges of this ancient custom which used long ago to permeate every sphere of activity. Auspices are no longer sought, but nevertheless an echo of the antique ways survives in the title of wedding officials. All that is left is a faint voice from the past. Valerius

manages here to evoke both degeneration from an idealised past and continuity with that past. Old ways have neither flourished, nor yet quite gone. Just so, the institutions that will be here described are ancient, but they are memorable – they have some continuing relevance to the contemporary world. The present has its roots in the past, as the opening lines claimed.¹² Yet there an optimistic picture of the present (this happy life, our wonderful emperor) was painted; now the comparison seems to highlight degeneration.¹³

In commenting upon the following custom – the upright posture of women at dinner – he disparages his own age more openly. While Romans still ensure that the goddesses at the ritual feasts of Jupiter adhere to this ancient rule of dining upright on chairs while the gods recline, they are considerably less diligent when it comes to maintaining standards in their own homes. Valerius comments (sourly? cynically? lightly? – but certainly with irony) that this must surely be because it is more important to conserve the moral discipline of goddesses than of mortal women. Clearly the moral education of women is something to which Valerius attaches importance. Such distinctions between men and women at table, it seems, are not merely reflections of an age when such things were done right. Such formalities themselves are a form of discipline that serves to nurture the right kind of moral attitudes and behaviours. An age such as his own that no longer respects these formalities is one that has lost its grip upon the moral training of its women – hence the irony.¹⁴

Valerius goes on to list a series of lost customs pertaining to the relationship between men and women that are underpinned by the moral judgements of the ancestors. The *mores* which are described are set in a vaguely defined past peopled by a unanimously moralising ‘they’. They honoured women who were *univirae*, because they believed that marriage to one man was a sign of uncorrupted commitment; they disapproved of divorcing a wife because she was barren, since commitment to one’s spouse should take priority over the desire for children; they ruled that no one could touch a *matrona*, even if he were arresting her. The one dated reference, marking the end of the period in which society was innocent of divorce, is 520 years after the traditional date of the founding of the city, or approximately 231 BCE.

¹² On the preface to 6.1 see the [Introduction](#) above.

¹³ For more on the imperial context see Chapter 7 below; cf. the tensions in Tacitus’ *Agricola*, and the work of Velleius Paterculus.

¹⁴ Plass 1988, esp. 30–1 on ideological values parodied by their context.

There are several references to gods in this short passage and suggestions of various ways in which the divine might impinge on the ethical lives of mortal Romans.¹⁵ When Valerius writes of Juno and Minerva at Jupiter's banquet, he is making reference to the ritual of the *lectisternum*. This trio of gods shared a temple in the centre of Rome on the Capitoline hill that was believed to have been founded in the earliest days of Rome, and represented the heart of Roman religion.¹⁶ However, Valerius blurs the distinction between the gods and the representation of the gods. He talks of the gods themselves rather than their statues, but then leaves us in no doubt that the behaviour of the gods is a reflection of the ethics of the human beings who organise their feasts. Valerius also uses divinities to refer to the twin dangers of drink and sex. Father Liber refers to Bacchus, the god of wine, *venerem* to 'Venus' or 'sex'. In Latin no distinction can be made between the two senses of the word *venus* since orthography did not distinguish between names and common nouns (as in the case of the personified *pudicitia*); in English we need to choose according to context which aspect of the term to emphasise. A reference to Venus may sound impossibly mannered to the modern ear when we are talking about sexual intercourse; just 'sex' misses the way that *venus* balances Liber, and also the sense of sex as a force beyond the mortal. Towards the end of the passage cited we encounter a third kind of Roman divinity: Viriplaca, a goddess with a narrowly defined function, who intervenes directly in a specific aspect of the Roman domestic life, marital relations.

All these first institutions described by Valerius pertain to sex and marriage and the regulation of these. *Pudicitia* is directly mentioned twice in these opening lines; both times it is the preserve of married women. In the old days they maintained *pudicitia* – the internalised virtue and the externally observable behaviour – through prizes¹⁷ and consolation prizes. Yet one can see even in the concision of each sentence that sexual *mores* have broader implications for aspects of Roman society: relations with the gods, formal recognition of virtue, legal practice, use of wine and conduct in private, dress and hairstyle of women.¹⁸ This opening to Book 2 draws a critical boundary between matronal *decus* (honour) which must be protected, and its opposite *dedecus* (disgrace) into which it is all too easy to slip, especially after a mouthful or two of wine. The moral forces of *pudicitia*, *verecundia* and *pudor* are called upon as the guards who are to police

¹⁵ See Introduction pp. 25–7 and Chapter 1 pp. 39–41 above.

¹⁶ Liv. 1.55. See Beard, North and Price 1998 vol. I: 3.

¹⁷ See Chapter 1 above.

¹⁸ Cf. Chapter 1 above.

this boundary. Women are given honours and privileges when they allow their morals to be guided by these forces, and the bond between wife and husband is valued above all others.¹⁹

Valerius conjures up an era when *pudor* – that restraining sense of shame and social awareness²⁰ – was so effective that women might even enhance their good looks (dress up and dye their hair) without attracting the dangerous attentions of other men. In those idealised days when *pudor* ruled throughout society, the tension between the need to display virtue and the dangers of doing so – that we saw dramatically articulated in Chapters 1 and 2 of this book – was resolved. The power both of the emanating beauty and of the lustful gaze were neutralised: looking and being looked at retained their purity. This sentiment, which suggests that in the days when the power of such regulatory virtues as *pudor* and *verecundia* was so great there was no need for further strictures (such as legal prohibition) to police civic behaviour, is a familiar trope of Roman moralising rhetoric, whose implications will be discussed in Chapter 7. At the opening of his chapter on *verecundia* (4.5), Valerius will make a similar claim about the hierarchy of seating arrangements in early Roman theatres: although senators and people were legally allowed to sit together until 194 BCE, in practice no plebeian ever sat in front of a senator, so cautious was the *verecundia* of the Roman people.

Some scholars take Valerius' text to provide us with information about actual practices of early Rome.²¹ However, there is plenty of reason to be sceptical. In Chapter 1 we saw the poet Propertius working with impossible Roman chronologies, where Rome was founded at once on sexual licence and on sexual constraint.²² Valerius' timeline, too, is troubling. How do these days of 'mutual *pudor*' relate to the story of Rome's history that begins to unfold when Valerius tells his stories, for instance of Tarquinius and Lucretia? How do they relate to the deed and words of C. Sulpicius Galus (Val. Max. 6.3.10), which I cited at the start of my Introduction, supposed

¹⁹ Once more it is hard to read the tone of the closing comment, which might be ironic like the earlier comment, or might be solemn, which is how Valerius is generally read (see e.g. Mueller 2002: 26–7 with n. 45). It may be that this is a genuine suggestion that the goddess Virioplaca ought to be particularly exalted for her promotion of domestic harmony, but this may equally be a wry comment about marital relations. Is the contrast between the equality of the affection between husband and wife and the superiority of the male a pointed jest, or rather a conscious evocation of moralising structures that are beginning to crumble? Cf. Kaster 2005: 41–2 where the suggestion is made that the parity refers to a mutually beneficial arrangement.

²⁰ For *pudor* see Introduction pp. 18–19 above.

²¹ E.g. Harris 1986 on a father's right to kill his own children.

²² See Chapter 1 pp. 54–5 above; cf. Chapter 4 p. 202 below.

to have taken place in around 166 BCE?²³ This husband divorced his wife for stepping outside with her head uncovered and exposing herself to the gaze of other men. His lecture to his wife suggests that he considered the eyes of other men to be very much a threat to their marriage. In such a world the dangers of the lustful look are manifest, as they are also throughout Livy's history. It may be that Valerius intends to suggest a progressive chronology in the course of which the earlier days of moral purity gave way by the third or second centuries BCE to the encroachment of vice; however, we can equally read these contradictions as two different ways of telling Roman history so as best to make a moral point.

Valerius' utopian vision of an age where these dangers were not yet at issue is designed itself to highlight these contemporary dangers and to suggest how they might be managed. Were the Romans expected to believe in such an age at all, or rather to accept its integrity as an indispensable moral tool? After all, ancient writers themselves acknowledged that when it came to *exempla* it was the moral force that was paramount and not historical accuracy.²⁴

FAILURE TO REPRODUCE

On another note, the most vitriolic attack of all in matters of sex comes not against unbridled lust and corruption, but rather against sex involving an old woman who is clearly unable to conceive any more children. Childlessness is often depicted in Roman texts as immoral, a snub both to the needs of the community and the dictates of nature, and resistance to bearing or rearing children is often portrayed as repulsive.²⁵ By extension, sexual behaviour (in women) which is deliberately non-generational such as sexual intercourse of women who are already pregnant or who are past their child-bearing years is viewed as morally aberrant. In a chapter devoted to the rescinding of wills, Valerius describes the emperor Augustus intervening on behalf of two sons whose mother has cut them out of her will and married again. The climax of the *exemplum*, a direct attack upon the woman herself, contains, in its description of the sexual congress of the elderly husband and wife, one of the most unpleasant images in Valerius Maximus' compendium:

²³ For the reading Galus rather than Gallus, see Chapter 1 n. 109 above. Cf. Dixon 1992: 68 on the contradictory chronology of the first divorce in Rome.

²⁴ See Chapter 2 n. 7 above.

²⁵ See discussion of the theme in Tacitus in Chapter 7 below; it appears to be in tension with the idealisation of the *univira* status, which in contrast removes fertile women from childbearing.

Septicia quoque, mater Trachalorum Ariminensium, irata filiis, in contumeliam eorum, cum iam parere non posset, Publicio seni admodum nupsit, testamento etiam utrumque praeterit. a quibus aditus divus Augustus et nuptias mulieris et suprema iudicia improbavit: nam hereditatem maternam filios habere iussit, dotem, quia non creandorum liberorum causa coniugium intercesserat, virum retinere vetuit. si ipsa Aequitas hac de re cognosceret, potuitne iustius aut gravius pronuntiare? spernis quos genuisti, nubis effeta, testamenti ordinem malevolo animo confundis, neque erubescis ei totum patrimonium addicere cuius pollincto iam corpori marcidam senectutem tuam substravisti. ergo dum sic te geris, ad inferos usque caelesti fulmine adflata es.

Septicia too, mother of the Trachali of Rimini, was angry with her sons. As an insult to them, since she was no longer able to bear children, she married Publicius, already an old man, and even cut both of them out of her will. When they appealed to him, divus Augustus rescinded both the woman's marriage and her last will. For he ordered the sons to come into their maternal inheritance and forbade her husband to keep her dowry because the marriage had not taken place for the purpose of procreation. If Justice herself came to know of this affair would she pronounce more fairly or with more authority? You spurn the ones you bore, you marry when your child-bearing days are over, you upset the proper order of inheritance with your malicious intention, and you are not ashamed to hand over your whole estate to this man to whose corpse, prepared for burial, you prostituted your own rotting old age. Since you conducted yourself so, you were blasted into the underworld by the celestial thunderbolt (Val. Max. 7.7.4).²⁶

The woman's family name, Septicia, sounds something like the Greek-derived adjective *septicus*, which means putrifying or septic, and the description of her husband as a corpse already prepared for the funeral rites, and of herself as 'rotting' (*marcidam*) may be intended to activate this resonance. The portrayal of sex with an old person as verging on necrophilia is employed in cruel humour today; here, however, there is no mistaking the disgust and bile of Valerius' expression.²⁷ The grim picture is further enriched by comparison to another passage in the work which uses a similar image to describe the horrifying punishment meted out by the brutal Etruscans, who are said to bind a condemned man face to face in close embrace with a corpse and to allow them to rot together.²⁸

²⁶ *Substerno* can mean prostitute, surrender or give up, as well as to stretch out beneath. Here the verb is intended to be graphic as well as suggestive. Cf. its use at Lucr. 2.22, Suet. *Aug.* 68.1, Val. Max. 2.7.14.

²⁷ Cf. Richlin 1992a: 109–16. The ideas of old women buying sexual favours with money and of those without heirs being targeted by men who hope to inherit come in e.g. *Priap.* 57, Mart. 4.5, Juv. 1.37–44.

²⁸ 9.2.ext.10; cf. Virg. *Aen.* 8.485–8 on the Etruscan custom as part of the characterisation of Mezentius.

THE EVIL FORCES OF LUST AND *LIBIDO*

In the moral universe conjured up by Valerius, the dangers of lust (as well as of avarice and drunkenness) crop up persistently as significant challenges to social and political order, and many of the different virtues endorsed by the work are explicitly designed to combat such dangers. Back in Book 2, for instance, we find this description of the virtue of frugality:

ceterum salubritatem suam industriae certissimo ac fidelissimo munimentouebantur, bonaeque valitudinis eorum quasi quaedam mater erat frugalitas, inimica luxuriosis epulis et aliena nimiae vini abundantiae et ab immoderato veneris usuaversa.

But they guarded their health with the sure and trustworthy defence of hard work, and frugality was a kind of mother to their good health, hostile to luxurious banquets, a stranger to overabundance of wine, and opposed to the immoderate use of sex (Val. Max. 2.5.6).²⁹

Here, sexual intercourse (again the Latin word is *venus*) is ranked with food and wine, things that in themselves are not evil, indeed may be said to be necessities, but must be enjoyed in moderation. These passages show that it is illicit sex or immoderate sexual intercourse that are problematic, and not sex *tout court*, as in the Pauline tradition.³⁰ The vices of avarice and *libido* stem from perfectly natural attraction to the lure of wealth and bodily pleasures. Indulgence in these up to a point is not to be condemned. Yet the power of these desires can become transforming and terrible, and as in Livy's work, the vices are particularly dangerous when they coincide with power over others. Roman virtue is of course closely associated with the exercise of power; a truly great person is one who can master his or her desires.³¹ Like Livy, Valerius shows virtue and vice as locked in battle. One can have a perfectly healthy desire; the moral issue is that it must be kept carefully under control.

Two important virtues in this work (as in Roman moral thought) are therefore *abstinentia* and *continentia* – the strength of will to resist the things that would clearly present a temptation to anyone (or at least to all men, in these following passages). Once again, the sexual is not seen as a separate category of temptation: just as sex was associated above with food and wine, here the allure of flesh is placed beside the allure of gold. A chapter devoted to these qualities (4.3) is introduced thus:

²⁹ The passage is followed immediately at 2.6.1 by a description of the Spartans in the same terms resisting the luxuries of Asia.

³⁰ See Brown 1989 on sexual continence in the early Christian tradition.

³¹ Cf. Foucault 1986.

magna cura praecipuoque studio referendum est quantopere libidinis et avaritiae furori similes impetus ab illustrium virorum pectoribus consilio ac ratione summoti sint, quia ii demum penates, ea civitas, id regnum aeterno in gradu facile steterit ubi minimum virium veneris pecuniaque cupido sibi vindicaverit: nam quo istae generis humani certissimae pestes penetrarunt, iniuria dominatur, infamia flagrat, vis habitat, bella gignuntur. faventibus igitur linguis contrarios his tam diris vitiis mores commemoremus.

It must be related with great care and particular attention how far the apparently mad attacks of *libido* and avarice have been subordinated to the wise counsel and reason of great men, since those household gods, that community, that empire has stood its ground forever where the desire for sex and money has held least sway. For where these most persistent plagues of the human race have penetrated, there destruction rules, *infamia* flourishes, violence dwells, wars are waged. Therefore with auspicious words let us commemorate the *mores* that have battled against such dreadful vices (Val. Max. 4.3.praef.).

The focus is upon the moral strength cultivated in the minds and hearts of a particular and predictable section of Roman society – great men – sufficient to combat the vices that always threaten to undermine the fabric of the nation, whether at the level of household, city or empire. As in the work's general preface, the structures of imperial rule are closely associated with the maintenance of moral order, and responsibility for this lies in the hands of the men in power. The examples that follow in the rest of the chapter demonstrate that the great virtues exhorted here are those of personal restraint, whereby great men master their own desires for the greater good. The first (4.3.1) is that of the twenty-four-year-old Scipio, conqueror of Spanish Carthage, who finds among his hostages an extremely beautiful adult virgin girl, of high birth and betrothed to the highest-ranking young man of her country. Despite being, as Valerius puts it, himself 'young and single and a victor' (*et iuvenis et caelebs et victor*), Scipio hands her over to her own people without taking advantage of the situation to have sex with her, and even adds to her dowry the ransom money that her family have brought. Thus with one gesture he proclaims himself resistant to the lure both of sex and money.³² The implication of this tale, and of Valerius' admiration for Scipio's behaviour, is that most men in his position – with youth, without the encumbrance of marriage and with the power to indulge themselves – would have succumbed to these quite natural temptations. In the next *exemplum* (4.3.2), Cato is similarly

³² And certainly the antithesis of the centurion who forced himself upon the wife of Orgiago and then demanded money from her relatives (see Chapter 2 above, pp. 109–14 and below, pp. 169–78). Valerius Maximus tells this story at 6.1.ext.2.

lauded for refraining from the sexual and material delights of Asia and Greece while on commission in the East: 'he held his mind as far apart from every form of sex as from money, though plunged into the greatest opportunity for both kinds of intemperance'.³³

I have already discussed the next section of the text in the course of Chapter 1. This is the story of Drusus and Antonia, where noble Drusus most unusually 'refrains from sexual intercourse with anyone except his wife' (*constitit usum veneris intra coniugis caritatem clausum tenuisse*, 4.3.3). The implication must be that a powerful man such as Drusus would ordinarily be expected to indulge himself in the erotic alternatives to the marriage bed available to him. Drusus represents an almost unattainable yet admirable paradigm of a husband.

Meanwhile in a later book (chapter 6.7), a comparable tale of husband and wife exerts moral pressure from a different direction. This is a story of a wife's commitment to her husband, parallel to that of Antonia. In this scenario the husband does indulge in the permitted pleasures of a sexual relationship with a slave girl in his household,³⁴ and the virtue belongs instead to the wife who is described as 'as supportive as she is long-suffering' (*tantae fuit comitatis et patientiae*), and not at all inclined to be vindictive:

Atque ut uxoriam quoque fidem attingamus, Tertia Aemilia, Africani prioris uxor, mater Corneliae Gracchorum, tantae fuit comitatis et patientiae ut cum sciret viro ancillulam ex suis gratam esse, dissimulaverit, ne domitorem orbis Africanum, femina magnum virum impatientiae reum ageret, tantumque a vindicta mens eius afit ut post mortem Africani manumissam ancillam in matrimonium liberto suo daret.

Let us come to conjugal commitment: Tertia Aemilia, the wife of the first Africanus, the mother of the Gracchi's Cornelia, was so far endowed with affection and forbearance that although she knew that one of her slave girls was a favourite of her husband's she pretended to be unaware of this, so that Africanus the master of the world, a great hero, should not have to answer a charge of intemperance from a woman. And so far was she from vindictive thoughts that after Africanus' death she freed the slave girl and gave her in marriage to one of her own freedmen (Val. Max. 6.7.1).

³³ Cf. 4.3.ext.1, where Pericles admonishes his colleague Sophocles for praising the beauty of a citizen boy and tells him that just as he should keep his hands off the money, so he should keep his eyes away from the lecherous gaze (*a libidinoso aspectu*). Such representations of continence are of course evocative of the commonplace of the exploitative provincial governor to which they are the corollary, just as the story of Scipio is intimately related to the story of Orgiogo's wife (see [previous footnote](#)).

³⁴ For sex with slaves as legally and morally permissible see [Introduction](#) above, and Williams 1999: 30–8.

Here Africanus' fancy for the little slave girl³⁵ is described as *impatientia*, an inability to control himself, which contrasts directly with the *patientia* of his wife.³⁶ His wife must cover up this unheroic side of her otherwise heroic husband, lest the great man should be challenged by a mere woman. Here his dalliance with a slave is a moral failing that threatens to undermine his great deeds in public life. Nevertheless his attachment to the slave is written of in emotionally mild terms (although there may well have been more to the story than is told here – more intense aspects to his behaviour that Valerius would be expecting his readers to bring to their appreciation of the tale).

Other parts of Valerius' work depict sexual desire for slaves as somewhat reprehensible,³⁷ although of a very different order to that for those who were not slaves, as we might expect.³⁸ The burning desire for someone who is freeborn is called *libido* or *cupiditas* – stronger and more dangerous urges than those that might compel a man to desire sex with a slave; the deed that they drive a man to is commensurably worse. Hence the following *exemplum* in which a loving father is praised for persuading his son to mollify his insane passion (*insana cupiditas*), presumably for a freeborn woman, with the lesser evil of sordid sex with prostitutes which is at least legal:

... ad externa devertar. amantissimus quidam filii, cum eum inconcessis ac periculis facibus accensum ab insana cupiditate inhibere vellet, salubri consilio patriam indulgentiam temperavit: petiit enim ut prius quam ad eam quam diligebat iret, vulgari et permissa venere uteretur. cuius precibus obsecutus adulescens, infelicis animi impetum, satietate licentis concubitus resolutum, ad id quod non licebat, tardiorum pigrioremque adferens, paulatim deposuit.

... let me turn to foreign examples: a father who loved his son deeply, wanting to restrain him from an insane passion when he was inflamed by dangerous and illicit fire, tempered his fatherly indulgence with some sound advice. He beseeched him to engage in permitted common sex before he went to the woman he loved. The young man yielded to his prayers and the yearning of his unhappy heart was dissipated by the satisfaction of legitimate sex, and brought more slowly and less eagerly to that illegitimate sex, until gradually it was gone (Val. Max. 7.3.10).

³⁵ *Ancillulam* is a diminutive of *ancilla*.

³⁶ *Patientia* is a complex term which can denote passivity in the negative sense of weakness and subordination, but also in a positive sense courageous forbearance and ability to withstand suffering; compare Val. Max. 3.2.7 on the disgrace of *patientiae dedecus* with *patientia* as the subject matter of chapter 3.3, where it is manifested primarily as heroic resistance to pain. On the vice of *impatientia* (lack of self-control) and its particular association with women see Vidén 1993.

³⁷ Contra the assertions of some scholars that men having sex with slaves of either sex was seen by Romans as unproblematic. See n. 34 above.

³⁸ Cf. the legal situation, as set out in the Introduction above, p. 22.

In the following book we find an anecdote in which the distinction between passion for a slave and passion for a free citizen is made quite plain:

Calidius Bononiensis in cubiculo mariti noctu deprehensus, cum ob id causam adulterii diceret, inter maximos et gravissimos infamiae fluctus emersit, tamquam fragmentum naufragii leve admodum genus defensionis amplexus: adfirmavit enim se ob amorem pueri servi eo esse perductum. suspectus erat locus, suspectum tempus, suspecta matris familiae persona, suspecta etiam adulescentia ipsius, sed crimen libidinis confessio intemperantiae liberavit.

Calidius of Bononia was arrested at night in a husband's bedroom, and when he was accused of adultery, submerged in the great and weighty waves of *infamia* he emerged holding, like a fragment of a shipwreck, a rather slight defence: he claimed that he had been led there on account of his passion for a slave boy. The place was suspicious, the hour suspicious, the character of the *materfamilias* was suspicious, even his own youth was suspicious, but the confession of intemperance freed him from the accusation of *libido* (Val. Max. 8.1.absol.12).

Lust for another man's slave is in this case called *intemperantia*, that for someone else's wife *libido*. The implication is that the confession of either is hardly becoming, but while the latter is a punishable offence before the courts, the former is not. Although a systematic analysis of the laws (and ideological texts) may suggest that a man could freely have sex with slaves and prostitutes in ancient Rome,³⁹ these extracts from Valerius' work suggest that, even when legal, such behaviour was not entirely free from moral controversy. We do not find a consistent moral stance set out in these passages; however, it is clear that male sexual activity was a focus of moral anxiety. This male virtue of restraint in the face of the lure of sex with women, children and slaves is not, however, referred to as *pudicitia* in Valerius' work.

CHAPTER 6.1: *PUDICITIA*

After this brief survey of some of the key aspects of *Facta et Dicta Memorabilia's* position on sexual morality, we come to chapter 6.1, devoted to the theme of *pudicitia*. This chapter is an important one in the work as a whole: it is one of the longest, and its preface, addressed in prayer form to *pudicitia*, looks back to the initial prologue, in which the emperor Tiberius is addressed in similar terms as the moral guardian both of work and world. The preface to 6.1, as we have seen, emphasises the continuity between

³⁹ See the [Introduction](#) above for a survey of the laws pertaining to sexual behaviour; cf. Williams 1999: 119–24, Fantham 1991, Gardner 1986, Cantarella 1992.

antiquity and the present day through the persistence of custom, location and morality.⁴⁰ *Pudicitia*, as deity and as moral force, is explicitly located in the here and now of the contemporary context: early imperial Rome. The direct address, her location in familiar places and in the contemporary world, the reference to the imperial family, and the present tense of the verbs all contribute to the sense of immediacy, and she is described as the guardian of Roman citizens, defending their physical integrity.⁴¹

One eye-catching aspect of this chapter, which marks it out from others as of particular interest, is the way it begins by suggesting *pudicitia* is a virtue that is equally relevant to men and to women. We shall find that the chapter, which does indeed feature both male and female heroes, goes on to elaborate how the relationship of men and women to *pudicitia* might be compared and contrasted.

In this chapter Valerius has collected various stories pertaining to the quality of *pudicitia*, including some of those we have already seen in Livy's history.⁴² Each anecdote illustrates the quality of *pudicitia* by narrating an event in which *pudicitia* is in some way enacted. The narratives and the commentary upon them are very brief and concise, yet they are synthesised into a whole that offers, in its variety of juxtaposed anecdotes, some alternative (sometimes competing) models of what an individual endowed with the quality might be, and also provides a critique upon these models.

One result of the conventional structure of the *exemplum* – in which the narrative is usually very brief – is a focus on salient points and the significance of the grammatical structure of an anecdote (for instance who is the subject of the main verbs), and indeed of each word chosen. Within the chapter, as we shall see, Valerius clusters together *exempla* of similar theme, and arranges them so that progression is evident. This is a general feature of Valerius' work designed partly to help the reader to assimilate and retain the tales and then to recall them with ease. Yet we shall see that this technique also allows for complexity within a satisfyingly consistent whole. The smoothness of transition between one section and the next enables the reader to encounter several different models of *pudicitia* and *stuprum* within this chapter, even within apparently very similar collections of stories, such as those of sections 2–6 all about parents protecting their children. Far from adhering more or less to the same model, this series of stories provides us with a range of variations in basic plot with which come, more importantly, variations in the moral messages which are conveyed by these narratives,

⁴⁰ As in the preface to Book 2 discussed above.

⁴¹ For full text of this preface see Chapter 1 above.

⁴² 6.1.1 Lucretia, 6.1.2 Verginius, 6.1.ext.2 wife of Orgiogo.

creating a challenge to a coherent reading of the chapter. The model shifts almost imperceptibly between sections so that the chapter in fact contains a complex network of associations and conflicting configurations of sexual crime and virtue.

Chapter 6.1 has sixteen separate sections, and I shall regularly be referring to its structure and content in the following pages; it will be useful therefore to present here a skeleton of the chapter, using the conventional numbering of the *exempla* that it relates,⁴³ with a brief summary of the events of each narrative (attempting to preserve the grammatical structure of the Latin). Certain features of the way that Valerius structures his material in most chapters of his work may be noted here. For instance, there are hierarchies at work. Most obviously, the first thirteen sections deal with anecdotes drawn from Roman history – ‘our’ history – while the final three are *externa*, foreign examples of lower status.⁴⁴

1. Lucretia suffers *stuprum* from Sextus Tarquinius and kills herself.
2. Verginius kills his daughter to save her from Appius Claudius.
3. Pontus Aufidianus kills his daughter and her tutor after he discovers the tutor has betrayed her to Fannius Saturninus.
4. P. Maenius kills a freedman who has kissed his daughter.
5. Q. Fabius Maximus Servilianus punishes his son for suspected sexual misconduct and then goes into voluntary exile.
6. P. Atilius Philiscus kills his unchaste daughter, although as a slave he was forced into prostitution by his own master.
7. M. Claudius Marcellus brings a case against C. Scantinius Capitolinus, a tribune of the plebs, for accosting his son. Although Scantinius appeals to the other tribunes for help they refuse to support him and he is convicted.
8. Metellus Celer brings a successful case against Cn. Sergius Silus for trying to buy sex from a *materfamilias*.
9. T. Veturius appeals to the senate because he has been beaten by his bondmaster P. Plotius for refusing to have sex with him, and Plotius is imprisoned.
10. C. Pescennius arrests and imprisons the brave veteran C. Cornelius for having a sexual relationship with a freeborn adolescent boy.

⁴³ I follow the numbering of Briscoe 1998.

⁴⁴ Throughout the work the foreign examples are separated in this way from the Roman examples, occupying the second of two sections in almost every chapter, indicated by ‘ext.’ in the numbering. That foreign examples are lighter, have less impact rhetorically and are morally inferior to Roman examples is a (not incontestable) commonplace of Roman rhetoric, and is indicated by Valerius Maximus at various points: e.g. 1.6.ext.1, 5.7.ext.1, 9.11.ext.1, and 6.9.ext.1 where ‘our’ *exempla* are read ‘attentively’, while foreign ones are read ‘in a more relaxed spirit’.

11. M. Laetorius Mergus is called to trial by Cominius for accosting his own adjutant, runs away [and probably kills himself, the text is unclear] before the trial, but is convicted anyway.
12. C. Marius judges that C. Plotius was right to kill C. Lusius for making sexual advances to him.
13. A series of men take private revenge on other men caught in adultery.
- Ext. 1. A Greek woman called Hippo throws herself into the sea so as not to have to submit to sex with her captors.
- Ext. 2. The wife of the Galatian king Orgiago orders her people to kill and behead the Roman centurion who has had sex with her and carries his head to her husband.
- Ext. 3. Teutonic women hang themselves when their captor Marius refuses to give them into the custody of the Vestal Virgins.

The primary heroic action of the chapter is (as in the case of the stories in Livy's work) violent death. If we add to the murder of children and other members of the household by the fathers of 2–6, and the violence done to a series of men in the last two Roman sections, not only the suicides, mass suicides, murder and decapitation of Lucretia and the foreign examples, but also the two accused of sections 10 and 11 who are explicitly said to have died (in the case of 10 possibly executed in prison), there is an overwhelming impression of death and violence in this chapter. Even in the three sections in which no one is said to have died (7, 8, 9), we know that each of the three men who were accused of *stuprum* was *damnatus* (condemned, and also ruined, damaged – if legally rather than physically) and there is implicit in this some kind of degrading violent penalty ahead.

Clearly we would not really expect this chapter to be a catalogue of people who merely *did not have sex* – that would be dull, and contrary to the bold heroic nature of Roman virtue. Exemplary stories about *pudicitia* inevitably allude to its transgression – the testing point of the virtue – as we have seen in Chapter 2. Valerius' versions of the stories, however, are not interested in the sexual act itself at all, but in the act of violence which follows or pre-empts it. Although sexual misdemeanour is necessarily an element of every story, it is never the element on which the narrative lingers. Rather, almost every single one of these tales which apparently starts out to illustrate *pudicitia* features as its central excitement a violent death.

In these tales, violence is part of the heroic act that makes *pudicitia* strikingly manifest. The chapter opens and concludes with women as instigators or wielders of violence – an unusual sight in Roman texts. The substantial central section of the chapter, however, features violent acts by men: fathers' violence against their children metamorphoses in the course of the

chapter into the paternalistic exercise of power over others more generally. Broadly these central *exempla* explore issues in male authority and its role in regulating sexuality. The closing *exempla* where foreign women are the heroic protagonists then provide a commentary on the earlier masculine *exempla* that opens up new ways of thinking about this authority. Gender is always a key theme in Roman depictions of heroism and Valerius makes full use of its rhetorical potential here as elsewhere.⁴⁵

So how is *pudicitia* portrayed in the narratives? The first two *exempla* that Valerius relates are familiar to us from Livy, and comparison therefore provides us with a starting point for thinking about what is particular about Valerius' text. In these opening tales, two basic models for conceptualising *pudicitia* are briefly evoked and compared (the rest of the chapter will work with and reflect upon these models):

Dux Romanae pudicitiae Lucretia, cuius virilis animus maligno errore Fortunae muliebri corpus sortitus est, a Tarquinio, regis Superbi filio, per vim stuprum pati coacta, cum gravissimis verbis iniuriam suam in concilio necessariorum deplorasset, ferro se, quod veste tectum attulerat, interemit, causamque tam animoso interitu imperium consulare pro regio permutandi populo Romano praeiuvat. atque haec illatam iniuriam non tulit; Verginius, plebei generis, sed patricii vir spiritus, ne probro contaminaretur domus sua, proprio sanguini non pepercit: nam cum Ap. Claudius decemvir filiae eius virginis stuprum, potestatis viribus fretus, pertinacius expeteret, deductam in forum puellam occidit, pudicaeque interemptor quam corruptae pater esse maluit.

The leader of Roman *pudicitia* is Lucretia, to whose virile spirit was allotted by some cruel twist of fate a woman's body. She was forced by Tarquinius, son of the king Superbus, to suffer *stuprum*, and when she had lamented her injury in the most serious terms to a gathering of her relatives, she killed herself with a sword which she had brought hidden in her clothes, and by dying in such a courageous way provided the reason for the Roman people to exchange the kingship for consular rule. She did not bear the injury against her; Verginius too was a man of plebeian stock but patrician spirit. Lest his house should be contaminated by dishonour, he did not spare his own blood. For when Appius Claudius the decemvir, relying on the powers of his position, persisted in trying to debauch his unmarried daughter, he led the girl into the forum and killed her – preferring to be the slayer of a chaste girl rather than the father of a ruined one (Val. Max. 6.1.1–2).

The two protagonists are, as we might have anticipated from their prominence in other sources, Lucretia and Verginius.⁴⁶ As is the convention, in both cases the central anecdote is sketched briefly, and largely detached from the surrounding historical and political narrative that we found in Livy's

⁴⁵ See Langlands 2000.

⁴⁶ See Chapter 2 above for a discussion of their pairing.

version of the stories. Valerius' account does not offer the reader much sense of connection between the narrative elements – he clearly relies on us already knowing a fuller version, possibly that of Livy himself.⁴⁷ Valerius provides, in addition, introductory and concluding comments, which give some direction as to how the narrative should be interpreted and what moral message should be drawn, and makes use of his continuous structure to get the most out of his brief allusion to each story.

Dux Romanae pudicitiae Lucretia . . .

Lucretia is number one of all the *exempla*, but the word which Valerius uses to describe her position at the forefront of the tradition is *dux*. This word is of course usually used of men and commonly means a military leader.⁴⁸ It immediately conveys a sense of force and control about Lucretia. The military flavour which is apparent in the defensive vocabulary of the chapter's introduction is enhanced by the notion that Lucretia leads the troops on the attack – an active combatant on behalf of *pudicitia*.⁴⁹ Lucretia is described as possessing a *virilis animus*, a striking phrase which could be translated in various ways, from 'forceful courage' to 'a man's soul'. She uses a sword to kill herself with⁵⁰ and her death is again described as courageous, full of *animus* ('spirit'): *animoso interitu* ('spirited death'). She controls all the active verbs in the passage: *deplorasset, attulerat, interemit, praeibuit* – she speaks out against her attacker, she kills herself, she sets the cogs of constitutional change in motion. In this first tale *pudicitia* is set up in the language and imagery of the battlefield.

Even more emphatically than Livy's version of the story, Valerius' account focuses on Lucretia as the moral subject. The story could be turned on its head syntactically and told a very different way: it could be more simply a

⁴⁷ On Valerius' sources see Bloomer 1992: 59–146.

⁴⁸ There are other instances in Latin literature where the term is used to describe a woman. For example Virg. *Aen.* 1.364 of Dido: *dux femina facti* ('a woman was author of the deed', on which Servius ad loc. comments 'to be pronounced in tones of amazement') and Livy 2.13.6 of Cloelia: 'the leader of a troop of girls' (*dux agminis puellarum*). However, in both these cases the juxtaposition of the female terms (*femina, puellarum*) is designed to make the use of the word startling (as Servius believes), implying that *dux* is not a term to be applied to Roman women and girls. This is also the implication of the passage where Boudicca is described as *dux* in Tac. *Ann.* 14.35.1.

⁴⁹ For the idea of Roman morality as a kind of psychological battleground, see for example Cic. *Catil.* 2.25, where the virtue of *pudicitia* is amongst those marshalled against the ranks of vices displayed by Catiline's supporters (see Chapter 6 below). In Valerius' account, Lucretia is the one who is fighting, and the virtue appears rather as the trophy which must be protected. Elsewhere in this chapter, however, as I have noted before, *Pudicitia* herself appears as the protector of men and women; see Introduction pp. 31–2, Chapter 1 pp. 39–41 above.

⁵⁰ See below on the gender significance of this and of the suicide itself.

story about crime and punishment. ‘Tarquinius raped Lucretia. Her relatives and friends took revenge on his family, to the benefit of Rome.’ But the story is not told like that. In Valerius’ version, Lucretia is not merely a pawn in the dealings of men. She is herself a warrior on behalf of *pudicitia* and country.

In the second story the heroic role belongs to Verginius. His daughter is not named and she is described only and tellingly as *deductam puellam* (‘the girl being led out’): literally the opposite of Lucretia’s *dux* (‘leader’). Her father is her leader, and she is the one who is being dragged along behind . . .⁵¹ Death is the *alternative* to defilement, rather than being subsequent to it. Verginius kills his daughter, whose purity is threatened by Appius Claudius, ‘lest his household should be stained with disgrace’. Valerius wraps up the alternatives for us at the end of the section when he comments of Verginius: ‘he preferred to be the killer of a *pudica* girl than the father of a corrupted one’ (*pudicaeque interemptor quam corruptae pater esse maluit*). For the girl there are two alternatives: *pudica* or *corrupta*. In the latter case she has the benefit of staying within the family (*pater*) but she is an unacceptable pollutant of that family (*contaminaretur*). In the case of the former her life must be sacrificed (*interemptor*). Valerius emphasises Verginius’ grim choice – the story is partly about the devil and the deep blue sea – with this sententious finale: *pudicae interemptor* or *corruptae pater*. It is his house (*domus sua*) that is threatened. He prefers (*maluit*). He acts (*necavit*).

As in the case of Livy’s comparison between the narratives, and indeed the other ancient sources cited in Chapter 2, the parallel that Valerius’ work is drawing is between the difficulty, and therefore the nobility, of killing oneself and of killing one’s own daughter. In one case this is the *pudicitia* of the woman, defending herself from ill fame, in another the paternal virtue of a man with the power over the life of another. The opening pair of stories, then, with their well-known protagonists Lucretia and Verginius, provide two quite different models of *pudicitia*. In the first the protagonist responds to threats to her own body, in the second the action is taken by a third person who intervenes in the (potential or actual) sexual contact of two others. Valerius’ chapter explores the ethical challenges of both models of *pudicitia*.

⁵¹ See also section 7, where the young man who has been the victim of attempted *stuprum* is *productum in rostra* (led to the rostrum). The word *deductam*, which is used of Verginia, likens her to a young bride, since this is the term used to describe the process of leading the bride to her husband’s house during a Roman wedding. It reminds us that her death is a bitter alternative for marriage – as in the following section. On *deducere* see also p. 118.

All the tales in this chapter involve *stuprum*, or attempted *stuprum*, and some sort of strike back against this violation or threat by someone whose behaviour enacts the quality of *pudicitia*. Here too we find a tension between the concept of *pudicitia* as a virtuous energy exploding into violence and as a valuable physical attribute to be protected. This duality may be illustrated by looking at the way that the word *custos* (guardian) is used in two places in the chapter. In the preface it is used of *pudicitia* (as goddess) to describe her role as protector of the vulnerable members of Roman society. Later it is used of a mortal man, Maenius, who is called *pudicitiae custos* – the guardian of *pudicitia*.⁵² This time it seems as if it is *pudicitia* itself (or herself) that is being protected, while Maenius plays the role of the guardian. A transformation has taken place whereby the stern imposing goddess of the introduction, whom we first saw bringing about the very stories that we are reading, has evaporated; her place has been taken by an endangered quality.

Valerius Maximus' catalogue of stories adheres to the same structures as those we found in Livy, particularly as regards the hierarchical relationship between the *stuprator* (always, at least when specified, male) and his victim. There is a range of vulnerable bodies; all the Romans are freeborn, of course, but there is far less emphasis on *matronae* than we found in Livy, plenty of children and young people of both sexes, and most challenging of all, the introduction (in sections 11 and 12) of a class of people who are usually thought of as far from vulnerable – Roman soldiers.⁵³

Valerius makes no comment on this aspect of the stories, or on any distinction of status among the victims of *stuprum*.⁵⁴ However, it is worth noting that although the victims of 11 and 12 are both grown men and soldiers, they are also lower in the hierarchy than those who abuse them (who are also allowed to beat them),⁵⁵ and their positions in the army are comparatively low-ranking and disempowered, while their abusers are military tribunes, men who hold specific power in the world of the military. But M. Laetorius Mergus the military tribune does not damage just any old (unnamed) adjutant (11), he damages *cornicularium suum* – 'his own adjutant' – a man who is under his command and guardianship; a man who, as the possessive pronoun indicates, *belongs* to him. Valerius comments that Laetorius should have been 'like a teacher' to his *cornicularius*, ('whose teacher he should have been', *cuius magister esse debuerat*) – someone

⁵² The same phrase is used at 8.1.1.2 of Horatius, who kills his sister rather than allow her to pursue a relationship with his enemy.

⁵³ As we saw in Chapter 2, submitting to *stuprum* should not coexist with being a soldier.

⁵⁴ For extensive ancient deliberation on the issues of a soldier's sexual vulnerability see Chapter 5 below.

⁵⁵ Walters 1998a.

who taught him the ways of the world, perhaps amongst other means by setting an example. This power relationship between an older and a younger, between a higher- and a lower-ranking man, would have been a healthy one. Instead, Laetorius tries to set up entirely the wrong kind of relationship: *sanctitatis corruptor temptabat existere*, 'he tried to be the corruptor of his purity'.⁵⁶ *Magister* and *corruptor* are the two models of how such relationships should and should not work.⁵⁷

All those people in the tales who threaten or inflict *stuprum* are adult males, and they are often identified as socially or magisterially powerful. Alongside these military tribunes and our old enemies Sextus Tarquinius and Appius Claudius we have a tribune of the plebs and other abusers, like the rash centurion who takes advantage of his custody of Orgiagio's wife, who derive their power more directly from their relationship with their victim. In section 6 the severe father P. Atilius Philiscus has been abused as a youthful slave by his own master.⁵⁸ Veturius, in section 9, is likewise abused by a man to whom he is in bondage.⁵⁹ In both cases the youth and therefore vulnerability of the younger male is enhanced by the fact that (legally) he is in another man's power. One might compare the (in this version elided) slavery to which Appius Claudius plans to subject Verginia in order to be in a position to approach her sexually.⁶⁰ In the same way, in each of the foreign examples the female protagonists are prisoners of their male enemies, and it is from the men who have taken possession of them that they fear or suffer *stuprum*: Hippo has been captured by an enemy ship when she throws herself into the sea (ext. 1). The wife of Orgiagio is among the captives of Cn. Manlius, and is damaged by the particular Roman centurion in whose custody she has been placed (ext. 2). The Teutonic wives are Marius' booty (ext. 3).

For the majority of the chapter, however, the text identifies the key figure in each narrative as somebody else, neither the *stuprator* nor his victim. Somewhere towards the start of every section we find the name, usually in the nominative case, which signals the start of a new *exemplum* and provides a 'name tag' of the exemplary figure who performs the deeds with which to identify it. If we run our finger down the main body of the chapter, from

⁵⁶ Cf. the case of Verginia who would have been *corrupta* by App. Claudius had it not been for her father's action (Section 2). For *sanctitas* see the [Introduction](#) above p. 30.

⁵⁷ For the sexual vulnerability of boys to their tutors in Roman thought see e.g. Plin. *Epist.* 3.3 (see Chapter 5 below, n. 57); cf. Williams 1999: 74–7.

⁵⁸ *in pueritia corpore quaestum a domino facere coactum* ('in his childhood his master had forced him into sex').

⁵⁹ *P. Plotio nexum se dare adulescentulus admodum coactus esset* ('P. Plotius as a young man had been forced to sell himself into bondage').

⁶⁰ Livy 3.44.5. See Livy 3.44–58.7 (cited and discussed in Chapter 2 above) for the whole story.

sections 2–13, picking out the names at the head of each section, they run as follows:

2. Verginius
3. Pontius Aufidianus eques Romanus
4. P. Maenius
5. Q. Fabius Maximus Servilianus
6. P. Atilium Philiscum
7. M. Claudius Marcellus aedilis curilis
8. Metellus . . . Celer
9. T. Veturius
10. C. Pescennius triumvir capitalis
11. M. Laetor Mergi . . . Cominius tribunus plebis
12. C. Marium imperatorem

[Section 13 is a list of various men].

These, the heroes (*viri*) of the tales, are sometimes identified by status as well as by name (*eques*, *triumvir capitalis*, *tribunus plebis*, *imperatorum*). In addition, Verginius and Servilianus are named as *viri*: *patricii vir spiritus* (2), *ensorium virum* (6). These are the figures around whose actions the narratives pivot, and their deeds can be divided into three categories corresponding to segments of the text.⁶¹ From 2 to 6 they kill or punish their children,⁶² from 7 to 11 they bring criminal proceedings against molesters,⁶³ and in 12 and 13 they kill or maim people who are caught red-handed without a trial, or officially approve of this being done.⁶⁴

⁶¹ Or rather, I shall make this crude division of the material in the chapter to start with, in order to make some kind of analytical inroad. It will become obvious as I progress that the subtlety of Valerius Maximus' arrangement of his material around the subject of *pudicitia* makes such analysis extremely difficult. As I examine the relationships between the different sections and the relationships between the issues which they raise, my story will become ever more complicated.

⁶² Killing: *puellam occidit* (2), *puellam necavit* (3), *in libertum . . . animadvertit* (4), *exigit poenas a filio* (5), *filiam suam . . . interemit* (6). This is a potentially controversial category. Firstly, in sections 4 and 5 the punishment described is not explicitly killing, although this interpretation of the phrases *animadvertit* and *exigit poenas* seems justified given the context. Secondly, it will be noted that in the case of section 4 the daughter herself is not killed, instead a freedman is sacrificed for the sake of her moral education. However, as *paterfamilias* Maenius may have a similar paternal relationship with the freedman who would have still been part of his household. On this see Treggiari 1969. It is not certain what relationship there would have been between a *libertus* and his former master, but this one sounds as if it were close.

⁶³ Accusations: *diem ad populum dixit* (7), *diem ad populum dicendo* (8), *querellam ad consules detulit* (9), *publicis vinculis oneravit, a quo appellati tribuni* (10), *diem ad populum dixit* (11).

⁶⁴ Without trial: *iure caesum pronuntiavit* (12), *deprehensum . . . flagellis cecidit; deprehensum pernis contudit; deprehensi castrati sunt*, etc. (13). Note Valerius' final comment on 13 which echoes the pronouncement of Marius in the previous section; Marius' deed was to assert that C. Lusius had been lawfully killed by C. Plotius because he had tried to commit *stuprum* with him, Valerius writes of the summary punishments of 13 that the men's indulgence of their anger was not an offence. The author imitates his previous *exemplum* by approving of the violent acts, and thus works himself into this list of illustrious men.

The model of parental authority

The emphasis of the text thus falls on protagonists on the ‘Verginius’ model: the man who steps in to rectify the situation and to act in violence of some kind on behalf of *pudicitia*. Aside from Lucretia, who is very much the protagonist of her own tale, and the women who appear in the section of foreign examples at the end of the chapter, the heroes of all the stories seem quite clearly to be men, and specifically men who intervene in other people’s sex lives. So the heroic economies of this chapter offer us a different sense of what the virtue *pudicitia* is than do the structures of the cult and associated narratives. Here the dominant representation of the virtue is as a censorious quality of righteous anger, which judges and then strikes down *other people* who behave badly. Far from suggesting that *pudicitia* is about the ideal Roman woman, this chapter emphasises its association with magisterial, authoritative Roman men from every walk of life to play this role, including the plebeian Verginius (with his patrician *spiritus*), an equestrian, Pontus Aufidianus, a censor in Q. Fabius Maximus Servilianus, and a freedman, P. Atilius Philiscus, who had himself been sexually defiled.

The cumulative effect of this central bloc of stories is to build up a complex model of male authority. This is the power of men who exert moral censorship and interfere in the lives of others, constraining or punishing their behaviour. Through the language and the stories used in the chapter this kind of authority is associated with the authority of the law and of the state; the men are acting together with, or on behalf of, the city. It is also, as I shall go on to show, associated with or modelled on the paternal role which is central to sections 2 to 6: the power wielded by the *paterfamilias* – the male head of the family – and by extension the emperor. The chapter also raises issues relating to power and wielding such authority which are central to Valerius’ project as a whole.

In many cases the violence meted out is described in the language of punishment. In section 4 the death of the freedman is explicitly a form of punishment, since the word *animadvertit*, in fact, means ‘he [P. Maenius] punished’, rather than ‘he killed’, and it is only from the context that we realise that the form of punishment is in this case death. The death meted out to the *paedagogus* in the [previous section](#) is described as punishment too (this time for his role in arranging the *stuprator*’s access to the daughter of the punisher): *adfecisse supplicio*. In section 5, Q. Fabius Maximus Servilianus ‘made his son pay the penalty’, *exegit poenas a filio*. Marcellus Celer is described as an *acer poenitor* – ‘a harsh punisher’ (section 8). Punishment by death does not of course effect the moral rehabilitation of the recipient. Yet

it can send clear messages to the community at large about the boundaries between acceptable and unacceptable behaviour. The narratives of such punishment in every retelling reaffirm such boundaries and work to deter transgression.

At section 13, Valerius describes the men who beat and kill adulterers as being men 'who punish by making use of their own grief rather than by using the public legal system' (*qui in vindicanda pudicitia dolore suo pro publica lege usi sunt*). Valerius comments that to rely in this way on one's own anger is acceptable: *fraudi non fuit*. According to this text, this kind of personal reaction to a situation can be acceptably used in place of a legal process.⁶⁵ Moreover, the men are acting in a quasi-legal defence of the quality of *pudicitia* (in *vindicanda pudicitia*).⁶⁶ Throughout the chapter, the language used to describe violent actions has legal connotations. As well as the phrases mentioned above, which are all most commonly used with regard to behaviour in the lawcourts, in section 6 Valerius describes the men such as P. Atilius Philiscus, who kills his daughter, as *vindices* (vindicators), at work in 'our city'.

In sections 7 to 11 the legal process *is* employed, and the action of the protagonist is to call the accused to some sort of trial. After the first accusation the process is very clearly a result of collaboration between this *vindex* figure and whichever body of the state he chooses: the *populus* (7, 8), the consuls and the senate (9), tribunes (10) or in 11, where the accused man runs away before judgement can be passed, the moral weight of the Roman plebs and the Roman army. Narrative outcomes always justify the man's action; the accused is always condemned (*damnatus*)⁶⁷ and in one case is executed in prison.⁶⁸ In section 12 the act of murder which begins outside the law (as do all the acts in section 13) is welcomed back inside its bounds by the pronouncement of C. Marius: 'he declared that the execution had the backing of the law' (*iure caesum pronuntiavit*).

⁶⁵ The actual legal position of private acts of punishment during the Republic is not certain; see above, *Introduction*, and Fantham 1991: 268 n. 4. See also Chapter 7 below for state and sexual morality under the Julio-Claudians.

⁶⁶ See above pp. 105–6 for a discussion of the word *vindicare*.

⁶⁷ *reus* . . . *damnatus est* (7); *hoc uno crimine damnando* (8); *in carcerem duci iussit* (9).

⁶⁸ *in carcere mori coactus est* (10). The interpretation of this line is somewhat problematic; literally 'he was forced to die in prison', it could imply merely that the circumstances of his imprisonment meant that he had to die in prison, a shameful end (Combès 1995 and 1997, vol. II translates the phrase as 'dut mourir en prison'), but this does not quite catch the undertones of physical violence that are carried in the Latin *coactus*. To translate it as 'killed' might be going too far, but there is certainly an implication that his death was the result of violence brought against him, and that he did not die peacefully in his cell.

As we saw in the previous chapter, another meaning of the word *vindex* is avenger, and another aspect to the punishments here is that of revenge. The word *ultio* (revenge) is twice used of the action of the protagonist: it is used of C. Scantinius Capitolinus' conviction (7) and of the death of the Roman centurion at the command of Orgiago's wife (ext. 2). This is carried out on behalf of the victim by the *vindex* against the figure of the *stuprator*.

In section 3 Pontius Aufidianus kills the slave as punishment, but he also kills his daughter. Is it to punish her, by extension? Or is her death of a different kind? Valerius comments: 'Thus, so that he did not have to celebrate a shameful marriage he led forth a bitter funeral procession' (*ita ne turpes eius nuptias celebraret, acerbis exsequias duxit*). This sounds so similar to the end of the [previous section](#) which we have discussed, the story of Verginius who 'preferred to be the slayer of a chaste girl rather than the father of a ruined one' (*pudicaeque interemptor quam corruptae pater esse maluit*) – that it is easy to think that we have just read the same story twice. Again, the death is about avoiding the shameful option and going for the harsh, unpleasant one. Yet in this case the damage has already been done and the girl is ruined. Thus, although the father cannot avoid defilement as Verginius does, killing his daughter is nevertheless a way of cleansing the defilement that has taken place through the medium of punishment. The shameful people are removed from society or from the *domus*.

Earlier I looked briefly at the way that the language of possession was used to describe the relationship between M. Laetorius Mergus and his *cornicularius*. The possessive pronoun (*suus*, 'his own') occurs often in this chapter to describe a father's 'possession' of his child: *filiae suae* (3 and 4), *filiam enim suam* (6), *filium suum* (7) and also *filiae eius* (2). In the case of the father/child relationship, the possession is clearly associated with the way that the father manifests a right to kill either his child or anyone who threatens the child's *pudicitia*. The rapists claim possession of their victims, by asserting that they have the right to do as they please with the victims' bodies. The fathers claim their children back by showing that they have the power to destroy these bodies entirely. The fact that *stuprum* is a way of 'possessing' another person is what makes it shocking – it is a form either of stealing (claiming to possess what really belongs to another man) or of humiliating a fellow free citizen.⁶⁹

Valerius draws out this sense of these narratives as competitions between two men about who will have possession of a third person partly by allowing

⁶⁹ Cf. p. 87 in Chapter 2 above.

the *vindex*'s behaviour to mirror that of the *stuprator*, tit for tat. The same vocabulary of power is used for both. The verb *cogo* (to force), for example, is used in the repeated phrase *stuprum pati coacta* ('forced to suffer *stuprum*') as part of the description of the sexual defilement that Lucretia and the wife of Orgiogo undergo, conveying their submission to the man. In section 6, the same term (*coactum*) describes P. Atilius Philiscus' coercion into a sexual relationship with his master. However, *cogo* also turns up in the punishments that are meted out to the *stupratores*. C. Pescennius is 'forced to die in prison', *in carcere mori coactus est*. C. Scantinius Capitolinus (7) mistakenly believes that because of his power as a tribune, no one has power over him and he cannot be punished: 'claiming that he couldn't be forced to turn up because he had sacrosanct status' (*adseverante se **cogi** non posse ut adesset, quia sacrosanctam potestatem haberet*). The men who punish must match force with force.

Another coincidence of behaviour or vocabulary between *stuprator* and punisher comes in the use of the words *compellare* and *appellare* to describe the attempted *stuprum*. These are the words used for the way in which the *stupratores* attempt to force their victims to submit, again within what is apparently a clichéd formulation:⁷⁰ *quod filium suum de stupro **appellasset*** (7); *quod cornicularium suum stupri causa **appellasset*** (11); *quia eum de stupro **compellare** ausus fuerat* (12). One of the means by which Valerius evokes a crime against *pudicitia* is this idea of the 'call to *stuprum*'. In another context, however, these words have another common meaning – in a legal context they mean to accuse or to arraign.⁷¹ As we have seen, accusation and bringing to trial is one of the main ways in which men in this chapter achieve their punishment of the *stupratores*. When the words *appellare/compellare* are used of the *stupratores*' actions, they anticipate the judicial process which the *stupratores* are forced to undergo. Although we are actually talking about two different kinds of behaviour, the fact that the same words stand for both of them draws our attention once again to similarities between the actions of these two groups of people. In each case their behaviour is an exercise of power over someone else. And of course the most impressive display of power is that which is exerted over someone who is himself manifestly powerful, as the *stupratores* are, having just asserted their own power over another.

⁷⁰ See *Dig.* 47.10.15.20–22 for definitions, and discussion in the Introduction above. *Appellare* occurs several times with the same sense in Ps. Quint. *Decl.* 3, for example; for discussion see Chapter 5.

⁷¹ E.g. *appellare*: Cic. *Off.* 1.89 (where *appellentur* is used to mean 'called to account' in the context of reasonable punishment); Sal. *Cat.* 48.7; *compellare*: Cic. *Red. Sen.* 12; *Att.* 2.2.3; Livy 43.2.11.

Consider a quotation from Sandra Joshel, taken from her article about Lucretia. Here she is writing about the virtue of chastity as being about the *self*-control of Roman men, and, as such, as exemplifying the control that these men wield over *other* kinds of people. This understanding of the virtue clearly has resonance in the context of an analysis of this chapter, where we have seen that so far *pudicitia* seems to be about the regulation of other people's behaviour rather than of one's own behaviour. She writes: 'A rule of his own body provides an image of Roman domination and a model of sovereignty – of Roman over non-Roman, of upper-class over lower, of master over slave, of man over woman, and of Princesps over everyone else.'⁷²

All the relationships of domination that Joshel refers to here are immediately familiar from Valerius' chapter on *pudicitia*. Yet the correspondence is not straightforward; rather than being the relationship of the virtuous Roman man to the transgressor, these pairings are all of rapist and victim – they are not models for the *right* kind of domination (*magister*?), but for the *wrong* kind (*corruptor*?). 'Roman over non-Roman' can be seen in the stories of the Roman soldiers and their rape of, or threat to, the wives of Orgiago and the Teutons in ext. 2 and ext. 3; 'upper-class over lower' is an important element of the relationship between Appius Claudius and the Verginian family, where the narrative can be seen as representing a struggle between patrician and plebs. As shown above, it manifests itself in various ways throughout the rest of the chapter as well. 'Master over slave' is in the past of P. Atilius Philiscus in section 6, when he was abused by his master, and in section 9 the victim is in debt bondage to his attacker; the patron treats his servant as though he were a slave by giving him a beating.⁷³ This story, Valerius tells us, is an indication of the fact that the state wished to protect the *pudicitia* of *any* Roman, however lowly.⁷⁴ 'Man over woman' is of course found in several of the sections, and sex as a means of male domination of women has been extensively discussed in recent scholarship.

However, the last of Joshel's formulations is '. . . and of Princesps over everyone else' and certainly neither Augustus nor Tiberius appear

⁷² Joshel 1992a: 120.

⁷³ 'With blows such as one would give a slave' (*servilibus . . . verberibus*).

⁷⁴ 'The senate wanted to preserve *pudicitia* safely in Roman blood no matter what its status.' It should be noted that it is really a bit of a cheat to say that any of the rapist/victim relationships are actually master/slave. Philiscus' abuse by his master is not the main story of section 6 but a piece of background to the tale of his murder of his daughter. There is only the *threat* of slavery for Verginia. T. Veturius is precisely not a slave, despite his bondage – it is this that makes it so shocking that he is beaten by his patron as though he were. When Valerius talks of Roman blood he does not specify *free*, but we assume this, and the implication of the preceding tale is that being in debt bondage to someone else is about as low as you can go.

as *stupratores* in this chapter. Indeed, as we saw, the chapter opened by explicitly describing the imperial household as one of the most chaste sites in Rome.⁷⁵ This chapter provides a picture of masculine and paternal moral authority of which the emperor is undoubtedly the ultimate embodiment in Rome (as Valerius makes explicit elsewhere in his work).⁷⁶ However, as this correlation between its patterns of relationship between *stuprator* and victim and Joshel's patterns of restraining authority suggests, it shows us both sides of the coin; such power of one member of society over another can become benevolent or abusive, when the elite male fails to exercise appropriate power over himself. Some of these tales raise the issue of the relationship between political and sexual tyranny; Tarquinius and Appius Claudius are cast as usurpers whose sexual behaviour is a reflection of their abusive treatment of others more generally. This topos of *stuprum* as a manifestation of abusive power is common in Roman ideology, of course, and especially in the later discourse of imperial power.⁷⁷

It is the benevolent aspect of authority that should be uppermost in our mind at this point in the chapter. The men who punish or cleanse on behalf of *pudicitia* – fathers, senators and generals – represent state-sanctioned Roman power, and are small-scale models of the emperor's role in Roman society. They intervene to regulate the sexuality of others in much the same way as the emperor does when he lays down or enforces laws. However harsh their behaviour might seem, it is explicitly condoned by the text: *fraudi non fuit*. Nevertheless the brutality and bloodshed of the tales, and the proximity of the stern heroes to the lustful villains, lend this chapter a certain sensational lustre, highlighting the compelling glamour of such severity.

The knife-edge of power

This section of Valerius' work raises new issues about the relationship between power and sexuality, and since the work is at least formally addressed to Tiberius, and makes frequent reference to the context of imperial rule,⁷⁸ it should be read as reflecting more specifically on imperial power, especially when related to the wider structures of Valerius' work. This chapter at the start of the sixth book plays a pivotal role in developing a theme

⁷⁵ Although there are indelible references to imperial *stuprum* written into this description, through the name *Iulia* (see Langlands 2000: 75–6 for discussion and further references); see Chapter 7 below on the representation of Tiberius by Suetonius.

⁷⁶ See e.g. Val. Max. praef. ⁷⁷ For more on this see my Chapters 2, 6 and 7.

⁷⁸ E.g. Val. Max. praef., 2.1.praef.

that runs throughout this work: the problems facing a man in authority who must balance the various demands of his various roles in society. A Roman figure of authority, whether father, magistrate or emperor, must struggle to balance within himself the virtues of mercy with those of uncompromising severity.

Book 5 enacts this struggle in the organisation of the chapters within it, and between chapters 5.1 (whose subject is *humanitas*) and 6.3 (*severitas*) the limits of these strands of virtue are explored. Chapters 5.7–10, in particular, alternate to show the competing demands upon a parent. The subject of chapter 5.7 is the love and indulgence of parents towards their children, which is charming, but can have disturbing consequences; the subject of chapter 5.8 is parental severity, illustrated by a series of well known anecdotes in which fathers put to death their own sons for the greater good; in chapter 5.9 we return to parental moderation (*moderatio*), and in the final chapter we see fathers who bravely bear the death of their sons without allowing their grief to overwhelm them or to prevent them from carrying out their official duties.

Severitas, a core Roman virtue,⁷⁹ is the moral boldness to punish and constrain where necessary for the greater good, even when sacrifices are required. Yet it can border dangerously on the vice of *crudelitas* (cruelty) and its consequences can be those of tragedy. Meanwhile gentle leniency can border on moral weakness and error and allow the vices of others to prosper, or the agent to become a figure of fun. Book 5 of Valerius' work opens with the tales of *humanitas* and *clementia* (humanity and clemency), and, as he comments, the term *humanitas* itself suggests that it should be at the heart of what it means to be human. *Clementia* is also claimed to be a particular virtue of Valerius' emperor Tiberius.⁸⁰ However, among the foreign anecdotes we find one which looks like a precursor to those in chapter 6.1:

Non tam robusti generis humanitas, sed ipsa tamen memoria prosequenda Pisis-trati, Atheniensium tyranni, narrabitur. qui, cum adulescens quidam amore filiae eius virginis accensus in publico obviam sibi factam osculatus esset, hortante uxore ut ab eo capitale supplicium sumeret, respondit 'si eos qui nos amant interficiemus, quid iis faciendum quibus odio sumus?' minime digna vox cui adiciatur eam ex tyranni ore [de humanitate] manasse.

Humanitas of a less robust kind, but nevertheless to be pursued by memory, will be told of Pisistratus, the Athenian tyrant. When an adolescent boy fired up with love for his virgin daughter had in public kissed her when he happened to meet

⁷⁹ See Val. Max. 6.3.

⁸⁰ Levick 1975 and 1999: 87–9.

her, his wife urged that he should be punished with death, but Pisistratus replied: 'If we kill those who love us, what shall we do to those who hate us?' A saying hardly worthy to be described as coming from the mouth of a tyrant (Val. Max. 5.1.ext.2a).

This father's measured and affectionate response to this public kiss between his daughter and her lover is very different from the impulsive slaughter found in 6.1. Valerius' approval directs us towards a moral stance that might make us feel somewhat uncomfortable when we arrive at the stories told in the beginning of Book 6. At the very least, we come prepared to acknowledge that there is more than one story to be told about a father's regulation of his children's sexuality. Our attention is drawn to the fact that the protagonist of the story is a foreign tyrant – hardly the model of ethical primacy; however, this is ostensibly only to apologise for the inappropriateness of such humane behaviour in such a man.

Later in Book 5, under the rubric of *moderatio*, we come across another scenario where the centrepiece is the circumspection of a father whose son is not merely *suspected* of a sexual crime, but is as good as proven guilty, and not merely of *any* sexual crime, but of adulterous sex with the father's own wife. Here the father's circumspection is praised as temperate and just behaviour, and it is justified when the son is eventually acquitted by a gathering of senators as well as by the father himself.

L. Gellius, omnibus honoribus ad censuram defunctus, cum gravissima crimina de filio, in novercam commissum stuprum et parricidium cogitatum, propemodum explorata haberet, non tamen ad vindictam continuo procucurrit, sed paene universo senatu adhibito in consilium, expositis suspicionibus, defendendi se adulescenti potestatem fecit, inspectaque diligentissime causa absolvit eum cum consilium etiam sua sententia. quod si impetus irae abstractus saevire festinasset, admisisset magis scelus quam vindicasset.

L. Gellius, who had fulfilled all offices as far as the censorship, when he had had more or less proved to him the most serious accusations against his son – that he had committed *stuprum* against his stepmother and plotted to kill his father – nevertheless did not rush to punish him straightaway, but having brought almost all the senate into a council, and having set out his suspicions, gave to the boy himself the opportunity of defending himself, and having most thoroughly examined the case he absolved him on his own judgement and on that of the council. If, impelled by the force of his anger, he had rushed to vent his rage, he would have committed a worse crime than the one that he was punishing (Val. Max. 5.9.1).

In this version the guilt of the boy seems pretty much certain, yet the father hesitates and is concerned to make sure that his son is given every chance to defend himself. If he had sent the boy to his death for attempted

parricide and debauching of his father's wife, Valerius comments that he would have ended up by committing an even worse crime himself. In other words, the crime of killing one's child in response to reasonable suspicions that may turn out to be groundless is worse even than parricide – conventionally itself described as the greatest of crimes.

These stories seem to suggest that moderation towards one's children is advisable, lest one rush into unwarranted violence. Against this we may place the display of love and indulgence towards one's children in 5.7 – amusing and pleasurable to listen to (according to Valerius), yet somewhat sickly. In the Roman examples we hear of such inversions of the proper order as fathers following their sons in triumph or sacrificing their lives unnecessarily. However, it is the first foreign example, in which an oriental king, Seleucus, indulges his son perhaps excessively, and with rather distasteful consequences, that is most relevant here. Antiochus is wasting away with passionate love for his stepmother and shame (*verecundia*) at its immorality, concealing the reason for his illness from all around him. When the wise doctor notices that he flushes and gets excited whenever his stepmother enters the truth is revealed, but Seleucus' response is to surrender his own wife to his son; he considers his son's passion to be due to misfortune, but attributes suppression of this passion to his son's *pudor*.

Meanwhile, *severitas* is sternly approved in 5.8, where many of the examples are similar in their form to those of the earlier sections of 6.1: the child is sacrificed for the sake of a wider moral implication such as military discipline. However, in 6.3 the quality is introduced as 'horrifying and harsh' (*horridae ac tristes severitatis*), requiring a toughening of the spirit if one is to read the *exempla* that illustrate it, which are useful, but hardly an easy read (6.3.praef.). Many of the anecdotes in this chapter pertain to the defence of Roman liberty (e.g. the punishment of M. Manlius for betraying his city to the Gauls). Like *pudicitia*, *severitas* is a guardian of liberty: *custos* and *vindex libertatis*.⁸¹ In sections 1–5 the *severitas* is directed against men, and in 6–12 against women. Horatius kills his sister, the women involved in the Bacchanalian conspiracy are put to death, poisoners are strangled. Then follow the stories listed in my Introduction: Egnatius Mecennius battering his wife for drinking wine, Galus divorcing his for going hatless,⁸² then Q. Antistius Vetus divorcing his wife because he has seen her talking to the wrong sort, and P. Sempronius Sophus because she had watched the games without his permission.

⁸¹ Cf. pp. 99–108 in Chapter 2 above.

⁸² For text and translation of this passage see Introduction p. 11 above.

Although the behaviour in these tales is excessive, Valerius comments that the punishment of the women involved in the Bacchanalia serves, by its moral severity, to redeem the disgrace incurred by Roman society by their transgression (6.3.7).⁸³ Yet the chapter is undeniably steeped in horror,⁸⁴ and after the fifth anecdote Valerius explicitly represents *severitas* as a problematic quality that is very hard at times to distinguish from vice: ‘someone might say that this action should be placed on the borderline between severity and savagery – it is possible to argue either way’.⁸⁵

The chapter is rounded off by a foreign example, of a punishment designed to deter judges from corruption, that might make us indeed question the boundaries between severity and sadism:

iam Cambyses inusitatae severitatis, qui mali cuiusdam iudicis e corpore pellem detractum sellae intendi in eaque filium eius iudicaturum considerare iussit.

Now the story of Cambyses’ unprecedented severity; he ordered the skin flayed from the body of a certain corrupt judge to be used to cover the seat on which he commanded the man’s son to sit when he was passing judgement (Val. Max. 6.3.ext.3).

Finally, the end of Book 5 shows how difficult for a man the loss of his sons is, by heroising men who manage to bear this terrible grief without flinching. This prepares us to shudder all the more at the fathers in the following chapter (6.1) who are able to dispatch their sons and daughters rather than see them debauched, and to appreciate all the more keenly the difficulty of their task, the virtue required to carry out their decision and the magnitude of their deeds. Indeed the whole of Book 5 builds up a sense of the dilemmas set up by competing moral demands of fatherhood that will provide a useful framework for the interpretation of the stories in 6.1. The domestic circumstances and the national implications of the scenarios often pit loyalty towards family against loyalty towards state. Primarily the context highlights the emotional anguish of the fathers, and reminds us that the maintenance of *pusicitia* can be a very painful business both emotionally and physically.

⁸³ This notion that women brought credit to their community through their punishment (*emendata est*) can be compared to the problematic mention of Julia in the preface to 6.1 (see n. 75 above); see also Chapter 7 below, p. 359, and cf. the religious institutions said to have been founded in response to transgressive female sexuality, discussed in Chapter 1 above p. 57.

⁸⁴ E.g. *horrida* (praef.), *perhorruissent* (5).

⁸⁵ Val. Max. 6.3.5. Cf. Verginius’ speech in Livy to the soldiers in defence of his treatment of his daughter (Livy 3.50.5–6), discussed in Chapter 1 above p. 106.

Teaching the science of chastity: castitatis disciplinam

Teaching, as we saw above, is what Laetorius should have done (*magister esse debuerat*, 'he ought to have been a teacher'). It is almost certainly what the *exempla* in Valerius' work are designed to do. It is also another of the functions of violent death within this chapter. In section 6.1.4, P. Maenius uses his murder of one of his household as an educational tool in the upbringing of his daughter.

Maenius kills a favourite freedman because he has kissed his nubile daughter, even though the offending kiss seems to have been a genuine mistake rather than an act of *libido*:

in libertum namque gratum admodum sibi animadvertit, quia eum nubilis iam aetatis filiae suae osculum dedisse cognoverat, cum praesertim non libidine sed errore lapsus videri posset.

He punished with death a freedman of whom until then he had been extremely fond because he found that he had given a kiss to his daughter who was already of marriageable age, although it could easily have been thought that the freedman had slipped up through error rather than through lust (Val. Max. 6.1.4).

Maenius earns the epithet *severus* (strict or severe, see above) for taking this decisive action of punishing the freedman with death despite being hedged in with all these equivocations. The freedman was no domineering tyrant, but a beloved member of his household, his crime was a very slight one, and according to Valerius it could have been explained away without difficulty and there probably never was any *libido*.⁸⁶ Why then so *severus*? Valerius explains:

ceterum amaritudine poenae teneris adhuc puellae sensibus castitatis disciplinam ingenerari magni aestimavit, eique tam tristi exemplo praecepit ut non solum virginitatem inlibatam sed etiam oscula ad virum sincera perferret.

He thought it extremely important to teach, by the bitterness of the punishment for a girl still so tender, discipline in the matter of chastity; and through such a grim example he taught her that she must bring to her husband not only an intact virginity, but even pure kisses (Val. Max. 6.1.4).

The language and structure of this section conveys a strong sense that in some ways Maenius' action might be considered excessive. In addition to the way in which Valerius indicates that there was no real sexual crime by

⁸⁶ What was his *error*? Perhaps it was a failure to realise that the girl had reached marriageable age, and to treat her appropriately. For further discussion of the ramifications of this *exemplum* see below.

hedging in the first half of the section, when he describes what Maenius did he writes of 'the bitterness of the punishment' (*amaritudo poenae*) and 'a grim example' (*triste exemplum*). The violence of the punishment seems out of place and a disproportionate reaction to the crime. Yet the case of the freedman – what he has done and what he therefore deserves – is inconsequential. The goal of the story, to which all else is subordinated, is the moral education of the *puella*, and this is the implicit justification for Maenius' behaviour.

P. Maenius finds a different way of keeping his daughter pure than that of Verginius. Rather than avoiding damage by killing, he seeks to teach the girl herself how to act in such a way that she will remain pure through the grim *exemplum* of somebody else's death. We should prick up our ears at the term *exemplum*, programmatic in such a text.⁸⁷ Here Valerius is telling us a story about an *exemplum* in action. The girl is not merely *told* stories about Lucretia and Verginia and that sex outside marriage will result in violent death, she witnesses such death herself. After the killings of the previous sections, in which a series of young girls die for the sake of *pudicitia*, we may feel that Maenius' daughter has got off lightly; she has been given the second chance that we would have loved to have given the other pure women, had it been possible.

Here the shock of death is used to teach a girl to maintain her own virginity and more; she must have a very high degree of *castitas*, not simply warding off *stuprum*, but avoiding any behaviour which could be seen to encourage or to be a prelude to *stuprum*. As we saw in Chapter 1 above, *pudicitia*'s dominions spread far beyond the sexual behaviour itself, to govern many peripheral aspects of life. The story reminds us both that a girl must regulate her own conduct (specifically by not participating in kisses before she is married) and learn to do so by following the examples of others,⁸⁸ and that one of the responsibilities of a parent or parent figure is to educate those in his care. This story has several strands of ethical significance. Through the punishment of the freedman it warns off even minor transgressors; in Maenius it provides a model of parental authority both as regards his responsibility for the education of his children and in

⁸⁷ In this chapter the word *exemplum* is also used in sections 7, ext. 1 and ext. 2; the deaths of Hippo and the centurion who forced *stuprum* on the wife of Orgiogo are *exempla* too, stories which teach about *pudicitia*.

⁸⁸ Cf. the words of Lucretia in Livy's account, who claims that she must die in order *not* to be a *bad exemplum* for unchaste women: *nec ulla deinde impudica Lucretiae exemplo vivet* (Livy 1.58.10); see Chapter 2 above, p. 95.

regulation of his household; by targeting her education, it acknowledges the importance of a young girl as a moral actor in her own life: she too is punished by the freedman's death.

PUDICITIA THE ELUSIVE QUALITY

Regulating *pudicitia*, as we have seen in Chapters 1 and 2, is problematic because the quality is an elusive one. Valerius' chapter 6.1 also makes apparent this aspect of the quality; within its coherent structure it hides a multiplicity of moral messages. In the [previous section](#) I have told the dominant story about domination and re-domination; it is now time to bring into view these anomalies and contradictions and break up the lucidity of the moral message we have been reading.

One of the features of this chapter (and indeed of the *Memorabilia Dicta et Facta* as a whole), as I shall go on to demonstrate, is that a range of in fact very disparate material is woven together in such a way that one is not always aware of the disparity. The *exempla* portray *pudicitia* in different, even contradictory, ways, and on analysis the picture of *pudicitia* that it communicates is a complex and puzzling one. Yet the *exempla* are arranged in such a way, and the transitions between them made so smoothly, that each story looks very like the one before (up to the point where the Roman examples end) and the chapter appears to be a homogeneous whole. Using coincidence of theme or detail, and connecting words and phrases which remind the reader of each story's relationship to the story which precedes it, Valerius makes the progression between stories seem seamless and inevitable, disguising the fact that through the little changes in every story – a sort of 'Chinese whispers' effect – the chapter is taking us towards a very different place, and we are gaining, with every step, a more complex understanding of the concept of *pudicitia*.

This smoothness is achieved partly through explicit comparisons between sections and partly through gentle emphases on similarities between adjoining narratives.⁸⁹ For example, the link between sections 2 and 3 – 'The Roman knight Pontius Aufidianus was endowed with no less strength of mind'⁹⁰ – points out the similarity between the protagonists of each, Verginius and Pontius, both of whom possess the strength of mind necessary to kill their daughters. Furthermore, the summary phrase at the end of 3 echoes that of 2 with its wrapping up of the father's bleak

⁸⁹ Langlands 2000: 25–40 argues this using Val. Max. 3.3 as a case-study.

⁹⁰ *nec alio robore animi praeditus fuit Pontius Aufidianus eques Romanus.*

alternatives, and this too gives us the impression that there is little to choose between the two stories: 'so that he did not have to celebrate a shameful marriage he led forth a bitter funeral procession' and 'preferring to be the slayer of a chaste girl than the father of a ruined one'.⁹¹

We then come to section 4, where the now established pattern of the strong-willed and principled father forced to intervene violently in his daughter's sex life is evoked with a simple 'and what of P. Maenius?' (*quid P. Maenius?*) and next to section 5, where we need no more than 'Indeed Q. Fabius . . .' (*Q. vero Fabius . . .*) to lead us on to the next variation on the theme. Sections 3 and 4 share the theme of the father's discovery of the shenanigans going on under his roof.⁹² In 3, however, the issue is the virginity (*virginitas*) of the daughter, while 4 elaborates on this: the father's concern is 'not only virginity . . . but also kisses' (*non solum virginitatem . . . sed etiam oscula*).

The transition between 6, 7 and 8 is equally smooth. Section 6 prompts a brief eulogy from Valerius of Roman state and citizenship (*civitas*). These stories of private individuals reflect on the Roman society that produced them, as *exempla* should: 'We ought to realise just how highly *pudicitia* must have been venerated in our city . . .'⁹³

This comment shifts the emphasis neatly from the domestic to the civic, thereby setting the scene for the following *exempla* that unfold in public space. In the next *exemplum* the vindication of *pudicitia* and the protection of the child takes place before the people (*ad populum*), and actually involves Roman society en masse. This *exemplum* follows smoothly⁹⁴ because this too is a story about a stern father, Marcellus, who is protecting his child.

At the beginning of section 8 the phrase 'Metellus Celer too . . . the fierce punisher' (*Metellus quoque Celer . . . acer punitor*) appears to draw a comparison between this Marcellus and the Metellus of the following tale. Yet Marcellus has not been especially fierce (*acer*) in the preceding section, and the epithet *acer punitor* echoes rather the *atrox* (savage) deeds of sections 5 and 6, tying this section in more closely to the earlier part of the chapter. However, in both tales the mechanism of punishment is a call to justice before the people, and the crime is attempted *stuprum*. The authorial comments in the two sections again draw out similarities in the structures of the stories; the phrases 'with a single witness' (*uno teste*) and 'with a single

⁹¹ *ita ne turpes eius nuptias celebraret, acerbis exsequias duxit and pudicaeque interemptor quam corruptae pater esse maluit.*

⁹² Compare *comperit* and *cognoverat*.

⁹³ *quam sanctam igitur in civitate nostra pudicitiam fuisse existimare debemus . . .*

⁹⁴ Valerius uses the term *sequitur* which also appears in 11.

accusation' (*uno crimine*), which echo one another, both convey the same message: one may be convicted (*damnatus est/damnando*) of attempted *stuprum* on slender evidence – just one witness or one accusation. Within these similarities of place, crime and method of punishment, a crucial change in the story has taken place which will aid the transition to the next set of tales: the intended victim of *stuprum* is not the child of her champion – indeed there is no indication that Metellus is any relation of the *materfamilias* at all.

Other connecting phrases draw attention to similarities which may mask small differences between stories; between 8 and 9 'that was a serious case before a public gathering, this next took place in the senate-house' (*contionis haec, illa curiae gravitas*) suggests that we are about to hear a similar story transposed to a different part of the forum, and 'it was this that inspired C. Marius the general' (*hoc movit C. Marium imperatorem*) introducing 12 emphasises the shared elements of abuse of military rank which motivate Cominius and Marius.

But push a little harder and the fragility of the coherence of these sections is exposed. Although at first sight the stories are all about the paternal intervention in the child's sex life, all the killings are in fact of different kinds and for different reasons: Verginius (2) kills his daughter in order that she should *not* be raped, Aufidianus (3) kills his daughter *because* she has been violated in order that she should not have to go on with the shameful relationship, and the tutor himself as punishment for the betrayal. As I have said, in 4 the daughter does not die, and the purpose of the death of the freedman is partly punishment and partly education. In 5 the child is killed not to protect him (a male child for the first time) from *stuprum* or from the consequences of *stuprum*, but as a punishment of himself. This is apparently the case in 6 too.

Yet an effect of homogeneity is achieved by the sequence of the *exempla*. Each story is very similar to the one that it follows, similar enough that the transition to a new section almost seems like repetition of the [previous section](#). At the same time, as we move through the chapter the Roman examples gradually shift their emphasis. In the opening sequence, for example, there is a radical change in the role of the child in the sexual act between sections 2 and 6. From our starting point of Verginia (2), a *pudica virgo*, we arrive eventually at the daughter of P. Atilius Philiscus (6), who 'defiled herself with the crime of *stuprum*' (*stupri se crimine coinquinaverat*). Clearly we are dealing in these two cases with very different situations: in the former a chaste daughter is protected by her father against the evils of the world, and in the latter it is the daughter who pollutes herself and

must be punished. How was it that we managed to move so imperceptibly between the two, without being aware how dramatically the paradigm had changed over the course of these sections?

Transformation of the model

Verginia was *pudica* and also passive, at the mercy of the pursuer and ultimately of her father. The narrative gives her no active role, even in resisting rape. Pontius Aufidianus' daughter likewise has a virginity which is betrayed by the tutor – again a situation in which the implication is of innocence disrupted by a malign male influence. On first sight we may find the situation in 4 very similar:⁹⁵ the daughter of the house is again passive and threatened within her own home by a third person. Yet this girl ends up by being taught a lesson about *pudicitia*, and surely the implication of this must be that she was initially inadequate in this area. After being kissed by a freedman she learnt that she must keep her kisses to herself until marriage. Allowing the freedman to kiss her, then, was clearly an error on her part, and she has to learn that she must never let it happen again. Although she may be passive in terms of the sexual act of receiving a kiss itself, her subjectivity clearly comes into play in that she is expected to some extent to control the situation herself.

The punishment (*poenas*) in this section, through whose bitterness she learns, is ambiguous: is it the *freedman* whom the father is punishing with his death or the *daughter*? He is the one who dies, but she, after all, experiences the bitterness of the death too. There is a suggestion that the girl is at fault, and meanwhile the freedman himself represents a considerable modification of the lustful tyrant whom we expect to take the third role in these tales. The narrative expresses doubt about whether the freedman has done anything wrong at all ('he might have been thought to have slipped in error rather than in lust') and suggests that there may not even have been any *libido*. So this puzzling tale, which raises so many questions of its own,⁹⁶ can be seen as one which shifts the moral burden somewhat from the *stuprator* to his victim: the freedman is not such a bad rapist, neither is the daughter so very good.

⁹⁵ Indeed close to identical if we were to conclude that the *paedagogus* himself was the *stuprator*, as many do. However I follow Linderski in believing that Fannius Saturninus is a different person from the tutor, who betrayed the girl to him. See Linderski 1990 for bibliography on this issue.

⁹⁶ For some discussion see Linderski 1990. Cf. Fantham 1991: 277: 'this is an odd case, as Valerius makes clear that the girl was little more than a child, and the freedman had acted from affection'.

This provides a step in a smooth transition to our following tales where the rapists are elided from the tales altogether and the fault lies with the children. In sections 5 and 6 we encounter a new and troubling paradigm. As yet I have avoided the uncomfortable issue of the status of these children of 5 and 6 who have not been threatened externally, but seem to have defiled *themselves*. They disrupt the pattern of the powerful *stuprator* who defiles another person – the basic formulation of *stuprum* which underlay the earlier part of my chapter. No second person is cited in either of these cases (although we may assume there to be one), and no perpetrator from either outside or inside the *domus* is mentioned.

Instead the phrase ‘she polluted herself’ (*se . . . coinquinauerat*) in section 6, with its reflexive form, suggests the possibility of **self**-molestation. It is still the body of the child – i.e. a vulnerable member of society who must not be penetrated – which is the site of sexual crime, yet this time there seems no other perpetrator. This challenges one of the assumptions so far held unexamined throughout my chapter: that the body which is vulnerable to *stuprum* is also a passive body when it comes to the initiation of *stuprum* – *stuprum* is something you inflict on someone else’s body.⁹⁷ In 6, however, we have somebody who in sexual terms (in terms of her relationship to the *stuprum*) seems to be both passive and active, as the grammatical structure reflects. Since she is the one who is punished, she could be set up as the *stuprator*, yet she has not inflicted *stuprum* on someone else; the *se* indicates that she is the damaged person, and that hers is the vulnerable body. These children appear to take on a double role: that of the vulnerable child whose sex life needs the intervention of the father, just like the children in the [previous](#) and [following sections](#), and that of the perpetrator of bad sexual acts who I have previously maintained is embodied in a powerful male.

Here Valerius’ text challenges the prevalent model of *stuprum* which defines it as involving an active male *stuprator* penetrating (or attempting to penetrate or suggesting penetration to) a passive participant, and as transgressive sex inflicted by one person upon another. The tale prompts the reader to wonder what the nature of the *stuprum* is which children can inflict on themselves. In the case of the son in section 5 the assumption of the modern reader tends to be that he has been penetrated by a man rather than that he himself has penetrated or had other sexual intercourse with a woman.⁹⁸ His *pudicitia* has been placed in doubt because he has

⁹⁷ Although we did encounter the tricky concept of ‘voluntary *stuprum*’ in Chapter 2 above, p. [III](#).

⁹⁸ E.g. Sussman 1994 who asserts that *castitas* in this context means ‘freedom from homosexual sex’ (102). Even if it is the case that the boy in this tale is suspected of being penetrated by a man, in the light of the analysis of Roman sexual norms in Walters 1998 we can see that Sussman’s formulation is misguided: it is not because this sex is between two men (‘homosexual’) that it is transgressive, it is because it involves the penetration of a free Roman.

been the willing (or even unwilling) victim of another man's advances. But there are other possibilities; could it be, for instance, that he himself has approached others, whether men or women? It is difficult to be clear about what has taken place because within this passage the son manifests neither activity nor passivity in sex; it is left to the reader to try to understand the situation that has led up to his punishment. What might have gone on between the boy and whoever the other participant(s) in his transgressive sexual acts might have been is left to the imagination or to the prior knowledge of the reader. Equally, the reader is invited to wonder what has happened in section 6, where the daughter has defiled herself. We may justifiably ask what effect the act of *stuprum* has upon its perpetrator, and how the *stuprator* experiences the *stuprum* he inflicts. Does your average male *stuprator* defile himself too when he messes with a virgin, or is it only she who is defiled? Who emerged from such situations with integrity intact? It seems unlikely that the act we are being asked to imagine here is that of a girl debauching somebody else. More likely her crime has been not so much to instigate sexual activity as to permit it – willingly to take on the passive role. Yet if this is the case, we are facing a new problem. If it is a punishable crime to allow a man to inflict *stuprum* on her by penetrating her, then what is there to differentiate her from P. Aufidianus' daughter in section 3, for instance, who is described as passively *proditam*, or even from Verginia?

We might be tempted to suggest that the answer to this question is that it is *consent* which would differentiate an innocent victim of *stuprum* from someone who had participated in the *stuprum* willingly. In contemporary British society lack of consent is what defines an act of rape, and hence modern discourses often focus around what counts as consent and how its presence or absence can be established.⁹⁹ Another section in this chapter suggests that there was at least one Roman who believed that the willingness of the passive partner should lessen the guilt of the active: C. Cornelius in section 10. He denies that he has committed *stuprum* at all and argues that the freeborn young man with whom he has been having sex was perfectly happy with the arrangement:

de stupro nihil negaret . . . quod adulescens ille palam atque aperte corpore quaestum facitasset.

He denied that he had committed *stuprum* . . . saying that the young man had made a habit of openly and publicly engaging in prostitution (Val. Max. 6.1.10).

⁹⁹ See Chapter 2 above, pp. 90–1.

This sounds most acceptable as a line of argument to modern ears – it is the kind of argument that would be likely to be offered today in defence of a relationship which was perceived by others as being abusive – where one partner is very young, for example, or in the case of sado-masochistic relationships. However, the issue here is not whether the boy enjoyed the sex, but whether he is worthy of the protection of *pudicitia*. If he has consented to sexual intercourse, especially persistently, his integrity is destroyed, he has become a prostitute and rendered himself no longer under the protection of either law or virtue: to collude in sex is to lose one's all-important free status.¹⁰⁰

Bodies and souls

However, we have seen that 'consent' played a very different role in Roman conceptions of transgressive sex.¹⁰¹ Indeed it is not presented as a relevant issue in these first stories as Valerius narrates them. Verginia's selfhood is entirely written out of his version (although Verginius' lack of consent is a crucial issue here), while Lucretia is split in two by the challenge to her self posed by what has happened to her body. This is one of the fundamental differences between the modern understanding of rape and ancient concepts of sexual crime.¹⁰² In these earlier stories (sections 2 and 3) the narrative has not offered the reader any sense of what the daughters wanted; they have been entirely passive to the desires of men either for sex or for preservation of family honour. It makes no difference whether they resist their *stuprator* or not – their fate is the same. Indeed, if resistance and lack of consent were an issue, Lucretia and Verginia would not have had to die. They die because it is their physical state that matters, rather than their internal attitudes.

So what is it then which distinguishes these unmotivated women from the daughter in section 6 if a girl who is penetrated is in all cases a girl defiled? What is the distinction between the daughter in 3 and the daughter in 6? One has been betrayed (*proditam*), the other has polluted herself (*se crimine coinquinaverat*). It may be that in physical terms there is nothing to differentiate them, but there surely is a difference – the respective positions of their stories in the chapter demand that we read the two stories differently: Aufidius' daughter follows Lucretia and Verginia, who are both judged as retaining their *pudicitia* according to the stories. Therefore we figure her

¹⁰⁰ See Introduction p. 20 above; cf. also Cicero's argument in the *pro Caelio* (Chapter 6 below) and Tac. *Germ.* 19 (Chapter 7).

¹⁰¹ See n. 99 above.

¹⁰² See e.g. Tomaselli and Porter 1986 and Omitowoju 1997: 1–2, Omitowoju 2002: 4–5, 26–8, 230.

too as an innocent victim of another's lust. By the time we get to 6 we are following a different pattern – it is the children who are being punished, there is no longer a sense of their moral innocence.

The narrative structures of sections 1, 2 and 3 suggest that the physical state of the victim is what counts and that the purity of her intention is irrelevant. This distinction between 3 and 6 makes a contradictory suggestion: that the interpretation of the body's state can vary according to the internal state, the attitude of the participant towards the sex. It seems that what makes 6 different from 3 is the attitude of the girl. In sections 4–6 we have moved from situations where the women and children are entirely passive, to stories where the children are allowed control over their own sexuality, as well as an inner life of virtue and vice. The daughter in 4 learns how she must behave sexually, in 6 the daughter is on some level a sexual actor. This opens up the possibility of seeing *pudicitia* as an internalised virtue of control over one's *own* sexuality.

Sections 5 and 6 too offer some kind of approach to this issue of whether *pudicitia* is primarily a virtue or a physical state, or whether intention or bodily experience is the more important. It is not only we the readers who are uncertain about what has happened to these children. The narrative *itself* expresses uncertainty about what took place. We do not know for sure that either of the children actually had sex. We do not *know* that either is guilty of anything. It is merely that the boy's chastity *invites* question (is dubious – *dubiae*),¹⁰³ the girl has been *accused* of *stuprum* (*crimine*).¹⁰⁴

Once again, we are warned of the importance of reputation and appearance in the regulation of sexuality, now for children as well as for *matronae*.¹⁰⁵ The *stuprum* does not need to have actually taken place for the child to be blamed; it is enough that it might be *thought* to have taken place. These children are unchaste because it has been possible to accuse them of transgression rather than because of any transgressive act. Section 7 provides confirmation of this: the accused is convicted after the young man he is accused of molesting appears on the *rostra*:

constat iuvenem productum in rostra defixo in terram voltu perseveranter tacuisse, verecundoque silentio plurimum in ultionem suam valuisse.

They say that the young man was led onto the platform and staring fixedly at the ground he refused to speak; with this modest [*verecundo*] silence he effectively brought about his revenge (Val. Max. 6.1.7).

¹⁰³ Like that of Claudia Quinta, see Chapter 1 p. 65 above.

¹⁰⁴ This rests on a certain reading of the ambiguous word *crimen*, which can mean the crime itself, but also the accusation of the crime.

¹⁰⁵ See Chapters 1 and 2 above.

This young man is manifestly *pudicus* – he acts the part perfectly with his shame-faced silence and his eyes fixed on the ground; it is plain for all to see.¹⁰⁶ In this story *pudicitia* is not what you are, it is how you look, and how you show that you cannot speak about or confront the unnameable.¹⁰⁷ What these signals are indicating is an internal sense of shame (*verecundia*), the inner qualities that the modest silence betrays. Such an appearance is enough to exonerate the boy from any blame and condemn the accused.

Valerius describes the behaviour of Maenius in killing the *libertus* who has kissed his daughter as (excessively) harsh, and I argued earlier that this was because it was not the punishment of the *libertus* that was at issue in this section but the education of the daughter. The *libertus*' kiss seems to rest on *error* rather than on *libido*, and hence should not deserve in itself quite such harsh treatment.¹⁰⁸ In view of the above discussions of motive and of reputation the 'could be seen to be' or 'might be thought to be' (*videri posset*) of this section takes on a new significance. As in the cases of 5 and 6 there is significant ambiguity in this tale. Our uncertainty about what has happened and what the mistake has been is a deliberate feature of this story, whose message is partly that lack of certainty itself is a dangerous thing. This *exemplum* exposes the hazy borders of *pudicitia*; a father must be harsh in such circumstances precisely because it is not always easy to see what is going on and therefore to police when it comes to sexual behaviour. Sex is, and yet must not be, a private activity, and the internal desires are even harder to regulate than the realisation of those desires. This is especially so when the priority is preventative action, so that the situation does not develop into that of Verginius who must eventually destroy his daughter in order to retain the sanctity of his household. The girl defiles herself by allowing questions to be asked.

These tales, then, can be read as addressing the subjectivity of young people as well as their parents. The children learn from the striking horrors of the stories how they are expected to behave in conformity with society. They must strictly maintain an outward display of modesty, avoid getting into any dangerous or ambiguous situations, and indeed steer clear of any form of ambiguity entirely. None of these stories in Valerius' chapter

¹⁰⁶ For keeping your eyes on the ground as a sign of *pudor* and *pudicitia*, see Chapter 1 p. 72 above.

¹⁰⁷ On being too virtuous to speak the unspeakable, see also Cicero in Chapter 6 below.

¹⁰⁸ Although the term *error* does not necessarily indicate innocence, especially when the moral emphasis is on severity and ruling out uncertainty; it is one of the 'vices' included in the ninth chapter of Valerius' work, where misunderstandings lead to tragic consequences: '*Error* is very close to rashness, and equally damaging, and more easily done by someone who is unaware, since he entangles himself in blame not of his own accord, but inspired by false visions' (Val. Max. 9.9.praef.).

is precisely about the regulation of a person's own sexual yearnings – not strictly continence in a Christian sense. They are rather about how a person should conduct themselves socially and sexually and how to deal with certain situations that might arise.

This analysis has shown that even the apparently straightforward grouping of sections 6.1.2–6 yields, under pressure, a considerable amount of contradictory information about *pudicitia*, and works through a variety of models. The progression continues throughout the rest of the chapter too. In fact, the nature of the stories changes over the course of the chapter and through these different stories the work conveys conflicting messages about key issues such as the definition of *stuprum*, the boundaries of guilt and innocence, the relationship between reputation and purity and the importance of intention. Both the coherence which I attempted to convey initially and the subsequent collapse of this coherence which I have just effected are there in the text itself. Part of Valerius' skill is to make it sound as though he is retelling the same story – or at least stories based around the same model – again and again. Valerius Maximus himself invites us to notice that his smooth structure prevents us from realising how many contradictory things we are being asked to believe at once. When we reach the break in the chapter where the Roman examples end and the foreign begin, the return to the suicidal female protagonist in ext. 1 reminds us, with a jolt, how far we have come since the beginning of the chapter and the story of Lucretia. My next section analyses this break, the recall of the Lucretia story, and its effect on our reading of the chapter.

Female subjectivity and heroism

One of the most striking structural features of chapter 6.1 is its frame of stories which have female protagonists, and it is now time to examine in more detail what these stories are about and what difference they make to the overall reading of the chapter.

When we move from section 13 to ext. 1, from the last of the Roman examples into the foreign ones, we know we are entering a different kind of zone. Roman culture has been the context for the unfolding of all the previous stories, and the actual physical context of Roman history – the city of Rome – has been sketched out, as we saw, in the introductory address to *pudicitia*. Within the tales we had passing references to landmarks at the geographical centre of Rome.¹⁰⁹ From ext. 1 we have left this cultural

¹⁰⁹ E.g. the *forum* (2), *rostra* (7 and 8), *curia* (9) and *carcer* (10).

space and occupy a world beyond these limits. Here married women are not strictly *matronae*, their husbands are not Roman citizens, and the rules of Roman society need not apply.¹¹⁰ We already expect, as we move outside Rome, that the deeds enclosed in this section of the chapter will manifest a different kind of *pudicitia* and will relate to the virtue in a different way.¹¹¹

Valerius' chapters begin with a figure from the top of the hierarchy, just as they end with those from the bottom.¹¹² Thus the story of Lucretia with which we begin chapter 6.1, and the foreign female examples with which we end it, stand at opposite ends of a spectrum of rhetorical and moral weight: they are contrasted with one another. Lucretia's is the most Roman (*dux Romanae pudicitiae*), the most serious, the most important of stories; theirs fall under a section which already makes us view them as inferior. Lucretia's is a name which resonates throughout Roman literature and, one presumes, oral culture, whereas the women in ext. 2 and ext. 3 have no names at all and are identified by their husband's name or nationality: 'the wife of the chief Orgiago', 'the wives of the Teutons' (*Orgiagontis reguli uxor, Teutonorum vero coniuges*).

Yet it is clear that, however strong the pull of this separation between the beginning and end of the chapter, we are meant at the same time to close the gap (and we have already seen how far we have travelled in the intervening twelve sections): the stories to be found in the foreign section are designed to recall the story of Lucretia with which we began the chapter. They draw her story to the fore once more before we leave the chapter, throw a new light on it, and use it to throw new light upon the rest of the Roman examples that have been sandwiched between the two sections. They make us realise how far we have come from the first story in the chapter precisely because they replicate some of its details.

The subjectivity of the adult woman

Lucretia's tale is the only one amongst the Roman examples in which a female protagonist possesses, manifests and has control over her own *pudicitia*. However, there *are* other women in the chapter who are like Lucretia in this respect, and they are the women whose stories make up the non-Roman section of the chapter (ext. 1–3): Hippo, the wife of Orgiago,

¹¹⁰ Cf. the discussion of Livy's version of the tale of the wife of Orgiago, Chapter 2 above.

¹¹¹ On the structural relationship between Roman and external *exempla* see Langlands 2000: 33–40.

¹¹² Langlands 2000: 37–8.

and the Teuton women. Like Lucretia, these women take on active roles, are characterised as warlike, and are explicitly associated with praise and exemplarity.

As I shall show, these last stories draw the chapter away from the issues of sexual purity and punishment, and into the arena of war. If the stories of male dominance at the centre of the chapter looked out towards the *exempla* of *severitas* and the complications of family relationships in Book 5, the stories of Lucretia and the foreign women in 6.1 turn towards a different sort of moral arena – the heroics of the battlefield which echo particularly chapters in Book 3. In my Chapter 1, we saw Livy and Valerius Maximus drawing comparisons between *pudicitia* and *virtus*, the virtue of women with respect to sexual behaviour and the virtue manifested by men on the battlefield. In this last section of his chapter on *pudicitia*, Valerius explores further the analogy between the virtues of men and women and between war and sexuality.

It may seem odd at first sight that a figure described in the opening of the chapter as *dux Romanae pudicitiae*, or the most important example of specifically **Roman** *pudicitia*, should be strongly associated, both linguistically and thematically, with a ragbag of foreigners at the chapter's foot.¹¹³ I shall begin by examining the elements of the three foreign sections which draw on (and thus recall) Lucretia's opening story, and shall explore the similarities and echoes which bind all four stories together and apart from the others. It will become clear that with their strong association with the virtues of war which are usually associated with men, and their insistent references to the tale of Lucretia which the Roman part of the chapter has worked hard to forget, the final stories provide a new twist to the chapter as we have seen it so far.

First, like Lucretia, these women are grammatically active within these stories: Hippo 'throws herself into the sea', and explicitly controls *pudicitia* by 'standing guard' over it (*in mare se . . . abiecit, tueretur*), Orgiagio's wife 'orders' and 'expounds' (*imperavit, exposuit*), the Teutons 'assert' and 'take their own life' (*adfirmantes . . . spiritum eripuerunt*) – all these verbs have female subjects. In such condensed and abbreviated narratives as those presented by Valerius, the grammatical structure of the action is always significant: it is of paramount importance who is in control of the verbs. These verbs echo those of the Lucretia tale in content as well as in form: the courses of action which the women take through these verbs are similar

¹¹³ Given the conventions of hierarchy, as above.

to those of Lucretia. Lucretia speaks and then she kills, and this is what the women in the last three examples do too.

All the women except Hippo get a chance to speak, and their speech plays a crucial role in their stories. It is only because they speak that we are able to learn of their *pudicitia* and that they may become exemplary.¹¹⁴ Lucretia and the wife of Orgiogo, both defiled by *stuprum*, need to explain to their kin what has happened to them in order (presumably) that they be exonerated from the charge of adultery. Without the speaking that stands between the *stuprum* and her death, Lucretia's suicide would be meaningless and pointless – she might as well have been slain beside the slave as Tarquinius had threatened in Livy's version, because without an explanation from her lips revealing the preceding events her inner purity would remain concealed. Orgiogo cannot understand why his wife is throwing the head of a Roman centurion at his feet if the narrative that leads to this point is incomplete. These two women need to convey the experiences that have led them to their violent actions, in order that these acts of violence may be interpreted as acts of virtue.¹¹⁵

The case of the Teutons' wives is slightly different in that, like Hippo, but unlike the others, they are avoiding *stuprum* rather than reacting to it. They do not make their *pudicitia* known, then, by narrating a *stuprum* that has taken place; nevertheless they do make it known through what they say: 'they **begged** their conqueror Marius to hand them over to the Vestal Virgins, **declaring** that they too would remain innocent of sexual intercourse with men.' We know that these women sought to preserve their *pudicitia*, and we can interpret their suicide as an act on behalf of *pudicitia*, because of their prior request that they be handed to the Vestals and their assertion that they will remain celibate.

These various forms of speech are indications of the power and subjectivity which these stories grant these women. The women also have killing in common: Lucretia stabs herself to death with a sword which she has been concealing beneath her robes, the captive Hippo throws herself from the enemy's ship into the sea and drowns, and the wives of the Teutons hang themselves during the night – three different means of suicide, depending on the opportunities available to the women – sword for the

¹¹⁴ See above Chapter 2, p. 112.

¹¹⁵ Indeed we may wonder how Hippo's death ever became a story. She hurls herself silently into the sea from an enemy ship. Was it the enemy or the other captives who circulated the tale? This is not the issue for Valerius, for whom the tale is partly a function of the tendency of the garrulous Greeks to brag about their own heroes (compare with 3.2.22 and see Blömgren 1956: 221 and my discussion in Langlands 2000: 137 n. 328). Since she is a Greek woman Hippo has not just a story but even a name, not to mention a huge tomb.

Roman, drowning and hanging for the captive foreigners.¹¹⁶ In each case the self-inflicted death is the means by which *pudicitia* is preserved. Although Orgiogo's wife at ext. 2 does not commit suicide, her story is extremely similar in structure and presentation to these other stories, and throughout my discussion I shall bring it in as a parallel case. Precisely the same phrase is used to describe her sexual encounter as to describe Lucretia's (both women are 'forced to suffer *stuprum*', *stuprum pati coacta*) and there is the repetition of the word *necessarii* (relatives). In the foreign tale, the killing of the centurion that the woman brings about seems to perform a similar function to that played by the suicides in the other stories – it is a strong sign that proves the *pudicitia* of the woman.

Whereas the bulk of the Roman stories in this chapter were about violence inflicted by one person upon *another*, in three out of the four cases where women are the subjects of the *exempla* and inflict violence, the violence that they inflict is upon *themselves*. Within the logic of the narratives this makes perfect sense, and we have already seen that in some cases the best way to protect a woman from dishonour is to kill her.¹¹⁷ But this element of self-killing makes these stories of a very different kind from the others in this chapter.

The self-reflexivity of self-killing

Like Lucretia, the foreign women have control over their own bodies (Hippo and the Teuton women) or those of other people (Orgiogo's wife). In the case of the former, this 'control' that they have means, in terms of the narrative, being able to take their own lives. In this respect it mirrors the male authority which we saw being manifested in some of the intervening stories; for instance, we saw that Verginius' murder of his own daughter was a way of asserting his possession of her over and above that of Appius Claudius. Like those males in all the other stories we have read, these female protagonists are bringers of violence and death, but – and this is an important distinction signalled by the grammatical construction of what they do – the women's actions are self-reflexive – they inflict the violence on themselves: *se abiecit*, *se interemit*, *sibi spiritum eripuerunt* ('she threw herself', 'she killed herself', 'they took their own lives').

These women might be said, then, by analogy, to be exercising control and authority over themselves; perhaps we might even permit ourselves to

¹¹⁶ The means are of course significant in themselves – hanging and drowning have very different resonances from death by the sword, as I shall discuss below.

¹¹⁷ Sections 2, 3 and 6; cf. Chapter 2 above.

use the term 'self-control'. For by killing themselves, the women manifest the inner moral strength to protect themselves from *impudicitia* which has so far largely been missing in the account of *pudicitia* which this chapter is offering. The story of the daughter and the dead slave from whom she is expected to learn (6.1.4) comes closest to outlining this idea of *pudicitia*; there the girl herself was being taught how to regulate her own sexuality by avoiding certain situations – kisses. We did not, however, see the girl's self-discipline in action after she had learnt her lesson. These women, on the other hand, are seen to make (difficult) choices about their *own* behaviour based on moral principles. Rather than imposing judgement and punishment from outside on other people's behaviour, as the men have done, these women regulate themselves.

These stories, then, articulate the virtue of *pudicitia* in a way which perhaps more closely approximates our own notion of what a 'virtue' is; their protagonists are moral agents working not through the law, but on their own behalf. This is *pudicitia* not as spotting and rooting out other people's bad behaviour in society, but as possessing the moral strength to avoid such situations oneself – refusing to succumb to temptation or to compulsion.

This new conception of the virtue as an internal regulation of self (moral self-reflexivity) is clearly connected to the grammatical and narratological self-reflexivity of the women. Even while women have grammatical and moral subjectivity, even when they are in control of their own stories, they are still, at the same time, the disposable objects of Roman society, and of male lust: they are the objects of desire, but further they are taken into the possession of men, handed around and used as objects of exchange: *excepta* ('taken'), *tradita* ('handed over'), *mulieris pretium* ('the price of a woman'), *quo eam redimerent* ('to redeem her'), *dono mitterentur* ('that they might be sent as a gift'). This double status is part of the paradox of such figures, and, in the light of the previous stories, is highlighted by the fact that the verbs used to describe them show them to be taking on the roles of both the authority figure and the sexual victim – roles which in the preceding stories have always had two different actors.

Body and animus

These framing stories raise the key issues about conceptual dichotomies that have long permeated the structures of Western thought: questions about the relationship between the passive and the active parts of the individual, the relationship between the *corpus* and the *animus*, and where the identity

of the individual lies (as we saw in my [previous chapter](#)).¹¹⁸ In this text Lucretia appears to have a body which is gendered in one way and a soul which is gendered in another: a *virilis animus* ('masculine soul') in a *muliebre corpus* ('woman's body'); Orgiago's wife has a body which is overcome and humiliated, but a soul which escapes this humiliation: 'clearly it was only in body that this woman was in the power of her enemies; her spirit could not be conquered, nor her *pudicitia* taken prisoner' (*huius feminae quid aliud quisquam quam corpus in potestatem hostium venisse dicat? nam neque animus vinci nec pudicitia capi potuit*, Val. Max. 6.1.ext.2).

Valerius' presentation of these narratives acknowledges and dramatises various interlocking issues at the heart of Roman moral thought. We have seen that one of the things at stake in *pudicitia* is the physical integrity of the body. This is straightforward. What is more complicated is that *pudicitia* may be conceptualised *both* as this integrity *and* as a moral force protecting this integrity.¹¹⁹ Valerius' account makes it clear that it is their bodies that render the women vulnerable in the first place, and also their bodies that make them women (see Lucretia and her *animus*) and it is because they are women that they are vulnerable. It is Lucretia's *muliebre corpus* – a body which is weak and, because it is female, very violable (or, because it is female, weak, and therefore very violable) – which is violated. Yet the other part of her – the *animus* – which is characterised as 'manly' or *virilis*, enables her to transcend her defilement and become an *exemplum*.

Lucretia is a person for whom 'a virile spirit had been allotted by some cruel twist of fate to a woman's body' (*Lucretia, cuius virilis animus maligno errore fortunae muliebre corpus sortitus est*, 6.1.1). In Lucretia's case body and soul are very different, and they do not fit together well, as Valerius' striking phrase indicates. The phrase calls to mind the notion of the transmigration of souls, souls waiting in the underworld to be allotted new bodies for rebirth, which we find in Book 6 of the *Aeneid*.¹²⁰ It implies that the soul

¹¹⁸ For the development of the body/mind duality in Western thought see Bordo 1993; see Chapter 2 n. 40 above.

¹¹⁹ See p. 145 above.

¹²⁰ Virg. *Aen.* 6. 703–751; e.g. 'the souls to which other bodies are owed by fate' (*animae quibus altera fato corpora debentur*, 713–14). Note that the term used throughout Virgil's passage for soul is *anima* rather than *animus*; the two Latin terms are not strictly distinguished in their meanings, and there is some overlap: broadly, *anima* refers in general to the life force which all living beings share, whereas *animus* refers to the soul as a governing force over the body, embracing notions of courage, intellectual force, self-restraint. Virgil is outlining his own idiosyncratic and poetic ideas about life, death and souls in this passage, and it cannot be taken as representing general Roman beliefs; however, his picture draws on ideas about the soul found in the works of Plato and in Pythagorean, as well as Stoic, philosophy. Not only does Virgil implement here ideas which must have been previously well-known, but his own passage must have been extremely influential on

and the body have, as well as different characteristics, their own existence independently of one another. As with all of the stories that Valerius tells of female heroism, Lucretia's puts pressure on the conventional categories of male and female.¹²¹ However, in her case Valerius expresses the paradox of her heroism in a particularly striking and resonant way, making her embody in her one person the moral divide between the sexes: she is in two parts, one male and one female. This configuration of the heroic woman is part cliché but it is the fact that Valerius chooses to frame it with the disturbing notion of misfortune and allotment, the coming together of body and soul, that gives this conventional gender wordplay new life.¹²²

In this scenario we are directed to identify and sympathise with the soul, and the misfortune which the soul has suffered in being given a female (implicitly, rather than a male) body. It is not simply that the two do not match each other which constitutes the misfortune, 'fortune's cruel mistake' (*maligno errore fortunae*), it is the fact that the soul has had a rough deal. The soul is masculine, *virilis* (if not actually *male*, it is at least male-like, male-identified) and readers are directed to identify with the masculine element of Lucretia, and regret the female part of her, her body. The only verbal markers of Lucretia's femininity are the *muliebre* which describes her body, and the grammatically feminine past participle *coacta* which describes her passive role in the sexual encounter with Tarquinius, both of which emphasise the sexual and physical vulnerability associated with her femaleness. However, the part of her which directs the action, which is dominant, the *animus*, and which permeates her death (described as *animoso interitu*) is characterised as *virilis* ('masculine'). The female part of this woman, her body, is the part which we rue; it has brought her to ruin. The *virilis* part we admire. In this phrase Valerius makes Lucretia's body sound like the unfortunate burden which Lucretia has to bear, yet it is also the defining part of her – the part which gives her social meaning in Roman culture. On a very strong reading of the phrase, but one which I

Roman thought. There is no way of proving that Valerius had the Virgilian passage in mind when he wrote his line about Lucretia, yet I find it interesting that the passage outlining the transmigration of the soul is sandwiched between the two passages in the *Aeneid* which are closest to Valerius Maximus' project: the list of particularly bad crimes which must be avoided and which are being punished, which comes in the mouth of the Sibyl at 608–27 (which includes, amongst other sins which correspond to Valerius' chapters, 'those killed for adultery', and which has a distinctly contemporary Roman feel to it, with reference, for example, to deceiving one's clients) and the pageant of heroes which I argue elsewhere is one model for Valerius' own work (Langlands 2000).

¹²¹ See Langlands 2000.

¹²² The declamation treating the case of the soldier in Marius' army works with similar troubling boundaries of gender to the opposite effect, when vulnerability to *stuprum* risks assimilating a man to a woman. See Chapter 5 below for further discussion.

would argue the Latin directs the reader to take, we are invited to identify with the masculine part of Lucretia – the soul – to think of her as a man, and to imagine the horror of ending up inside the humiliating vessel of a female body.¹²³

The horror of being a man ‘trapped’ inside a woman’s body in this context is not based on the same preoccupations as it might be in contemporary Britain – that is to say issues of identity confusion and of being forced by societal expectations to take on gender roles which feel inappropriate.¹²⁴ The situation is sinister because of all that being female implies for a Roman, partly summed up by the Lucretia story itself: submission to others, restriction of power, susceptibility to *stuprum*. ‘We’, ‘anyone’ (i.e. with the male and Roman identity one must assume in order to read this story) would find it horrible to be a woman. The implication of this is that this text does not expect a reader who identifies herself as a woman, or rather who is identifying herself as such during the process of reading. Yet ‘we’ as male *are* asked to identify with a woman, Lucretia (and this is made easier because the part of her which we are asked to identify with is characterised as masculine).

Having introduced this interesting scenario of a split-sex being (remembering the Roman horror of and fascination with hermaphrodites),¹²⁵ Valerius lets it lie as background to the rest of the Lucretia story, and does not explore the idea in detail any further. Yet its implications are manifold, and it is possible, and also very tempting, to push it in any one of a variety of directions, some of which use the idea to close the gap between ‘man’ and ‘woman’, and others to prise it apart. Here are three possibilities:

- (a) The tale promotes sympathy for women and for a Roman woman’s situation by allowing a man to imagine what it might be like to be in that situation. It suggests that a woman could possess a mind with which a man could identify, and that being female might be an accident of birth.
- (b) The tale emphasises the fact that a heroic woman such as Lucretia cannot in fact exist at all by highlighting the impossible paradox of such an identity; she is a miraculous, transgressive and unreal figure.

¹²³ Compare stories in Ov. *Met.* of Caenis (12.168–209), who is able to exchange the raped vulnerability of his/her woman’s body for an impenetrable male body, or of Iphis (9.669–797), a man in love thwarted by his female body.

¹²⁴ Denny 1998, Herdt 1993.

¹²⁵ See Brisson 2002. The birth of a hermaphrodite child was considered in Republican times an ill-omened prodigy, and to avert national disaster the baby had to be ritually killed, usually by drowning; MacBain 1982: 65 and Appendix.

- (c) The tale writes women and a woman's experience out of the picture altogether: the part of Lucretia which *experiences* is actually male. Valerius is not interested in a woman's point of view, but twists this story in his telling so that even this most female of experiences becomes an experience for men.

This passage might be interpreted either as an invitation to men to identify with a woman or as asking men to recognise the impossibility of *ever* identifying with a woman at all; it could be argued that in order to make sense of the story the author must remove the female from the protagonist's body and replace her with a male. One might also argue that to put oneself in the position of a woman might be to elide the differences between oneself and 'them', differences in which one, as a Roman male, has been taught to believe, to come close to understanding what it might be like to *be* a woman, to see it as a similar experience of a different situation, rather than a state of incomprehensible otherness. A single, apparently most transparent phrase provokes a series of profound questions about identity, and urges the reader to unpack from the stories of the chapter the rich and intriguing moral tangles which lie beneath.

It is certainly the case that in these stories the act of killing oneself is always a separation of body from soul. This is so not merely because in death one leaves the other, but because the act requires that one person become two – undergo autolysis. The reflexive verb which describes Hippo's death implies this: *se . . . abiecit* (she throws herself away from herself). To be both agent and object of the same verb in this case is to have two separate identities. On a practical level, in suicide the will must turn against the physical being.¹²⁶ The verb *abicere* ('to throw away') reflects the extraordinary violence of such an act: the *ab-* prefix is distancing, as though part of Hippo stands on the deck flinging the part that she no longer wants into the sea. In the [next section](#) the same verb is repeated in such a way as to emphasise the different outcome of each tale; this time the agent (Orgiagio's wife) remains integral, while the object of her violence is a fragment of somebody else – the severed head of the destroyed Roman centurion, flung at Orgiagio's feet (*abiecta . . . ante pedes*). This woman, unlike the rest, has succeeded in externalising her violence – wreaking it on someone else. She throws down away from her, separates herself from, *another* body; the very body, in fact, which, in joining itself sexually to hers, has violated her in the first place.

¹²⁶ This intangible part of the person – the will, the spirit, the soul – is free from humiliation in a way that the body is not; it is here that the moral rectitude of the person rests; cf. p. 175 above.

The women kill themselves in order to avoid the dishonour of *stuprum* (whether suffered or threatened). Amongst all the modern works on suicide in ancient Rome this motive for suicide is recognised as a major category. In her article on Stoic attitudes towards suicide in Rome, Miriam Griffin sets out the kinds of voluntary death which were practised throughout Roman history. After the category of the general's self-sacrificial *devotio* before battle, she writes:

Next come suicides undertaken out of adherence to a social code of conduct to avoid or make up for failure to meet social expectations. One can include here, for example, women preserving their chastity or atoning for its loss; generals anticipating defeat or killing themselves for shame; accused persons anticipating condemnation.¹²⁷

Griffin's references to 'social code of conduct' and 'social expectations' are helpful for our understanding of the mechanisms of these stories: for these women suicide provides a means of avoiding the social opprobrium which they would incur upon the loss of their *pudicitia*; it is an escape route from censure.

Yet note the terms which Griffin associates with such a model:

Next come suicides undertaken out of adherence to a social code of conduct to avoid or make up for **failure** to meet social expectations. One can include here, for example, women preserving their chastity or atoning for its **loss**; generals anticipating **defeat** or killing themselves for **shame**; accused persons anticipating **condemnation**.

The implication of this for these stories is that to suffer *stuprum* is, in society's terms, to fail. If their suicides are to be viewed in this light, the women fall into the same category as M. Laetorius Mergus, the military tribune of section II who ran away from his trial and killed himself before he could be convicted for the crime of attempting to force *stuprum* upon his assistant.¹²⁸ Laetorius is driven to kill himself by knowledge of what he has done, or conscience (*conscientia rei*). The Latin phrase might merely describe his 'awareness of the situation' and of his impending lawsuit and

¹²⁷ Griffin 1986: 193.

¹²⁸ This, at any rate, is what we understand to have happened. The manuscripts are unclear since there is a lacuna at this point in the text. Briscoe's version is *ante iudicii tempus fuga prius deinde etiam* [. . .]. *naturae modum expleverat* . . . In Paris' epitome this missing part of the story is resolved as *morte se punivit* ('he punished himself with death') which some editions supply (see Briscoe 1998 ad loc., 6.1.11), and this makes it fairly certain that however it was originally phrased the story told of Laetorius' self-killing. The phrase *naturae modum expleverat* is also awkward, as Shackleton Bailey argues (1996: 180): '*Naturae* cannot be right, for a man who commits suicide does not fill out his natural span, quite the reverse.' He suggests substituting *poenae* or *supplicii*.

punishment. Yet it is logical and tempting for a modern reader to interpret this 'knowledge' as a 'guilty conscience' – an inner sense that he has done wrong. The *nec sustinuit* ('he could not bear') supports this latter interpretation, since the verb is often used to describe people's difficulty in bearing unpleasant emotions. In any case, whether he is driven by an internal sense of his own wrongdoing, or whether he is afraid of the external retribution for this wrongdoing which is coming his way through the trial and punishment which it will entail, there is no question but that the situation *has* arisen due to his own wrongdoing. The reason for the suicide is crime, and the death itself is introduced by Valerius as a 'foul death' (*foedus exitus*). Laetorius, in other words, is a perfect example of Griffin's 'accused persons anticipating condemnation'.

Yet it is patently clear that, in the context of Valerius' work at least, the women's suicides bring about very different ends; Laetorius does not in fact avoid dishonour – indeed Valerius makes it clear that he is held up as a social disgrace even after his death. His death does not halt the processes of judgement, and he is convicted even when he is no longer there to stand trial: 'even after he was dead he was convicted of the crime of *impudicitia* by unanimous judgement of the whole people', *fato tamen functus universae plebis sententia crimine impudicitiae damnatus est* (note the legalistic language used here). The point is rammed home in the next sentence where we learn that the Roman standards, symbolising all that is morally upright about Roman society, pursue Laetorius as we might put it 'beyond the grave': 'The military standards, the sacred eagles, and that most reliable guardian of Roman power – the strict discipline among the soldiers – followed the man all the way to hell' (*signa illum militaria, sacratae aquilae, et certissima Romani imperii custos, severa castrorum disciplina, ad inferos usque persecuta est*). Perhaps this emphasis on the continuation of the 'prosecution' even after death is necessary precisely because a suicide *was* thought to lift the sting of dishonour, and Valerius wants to make it quite clear that despite appearances Laetorius does not, in fact, escape.

All this contrasts greatly with the way we are directed to understand the self-killing of sections 1, ext. 1 and ext. 3. These women are not escaping their own failure, but the failure of men – men, indeed, such as Laetorius.¹²⁹ Unlike Laetorius, Lucretia is not judged after her death as having been *impudica* because of her sexual intercourse with Tarquinius – quite the opposite: she is *dux pudicitiae*. And despite the possibility of interpreting the deaths of Hippo and the Teutons as escapes from *stuprum* this is not

¹²⁹ Ext. 2, a subversive tale where the woman lives and the man is punished, suggests this model.

in fact how the deaths are formulated in the text – the word *fuga* (flight, escape) is not used of them as it is of Laetorius' actions. Hippo's self-killing is described rather in terms of its positive effect: 'that she might protect *pudicitia* with death' (*ut morte pudicitiam tueretur*, ext. 1). These deaths are not simply about defeat and failure (although this may be an unavoidable feature). They are not attempts to escape the shame of *stuprum*, as one might escape the shame of a conviction.¹³⁰ I shall argue that they work on a very different model of suicide; Valerius presents them to us as triumphant deeds, deeds of heroism modelled on the Stoic notions of death before dishonour. Indeed self-killing came to represent, in Stoic thought, the ultimate act of self-determination under oppressive imperial rule, and these women can be seen as fully in control of their moral destiny.¹³¹

Triumphant self-killing

The Greek woman Hippo's seashore tomb, which stands forever as a monument to her valour, recalls the better-known tomb of that archetypal Roman Stoic, Cato of Utica, who also took his own life. The story of this exemplary suicide is told earlier by Valerius Maximus, at 3.2.14 – where it illustrates the quality of *fortitudo*:

tui quoque clarissimi excessus, Cato, Utica monumentum est, in qua ex fortissimis vulneribus tuis plus gloriae quam sanguinis manavit: si quidem constantissime in gladium incumbendo magnum hominibus documentum dedisti quanto potior esse debeat probis dignitas sine vita quam vita sine dignitate.

Utica is the monument, Cato, to your most illustrious death, in which more glory than blood flowed from your most brave wounds; indeed, by falling so determinedly upon your sword you gave to mortals a great example of how much better it should be for honourable people to have dignity without life than life without dignity (Val. Max. 3.2.14).

This last phrase – 'how much better it should be for honourable people to have dignity without life than life without dignity' – fits much better as an epitaph to the lives of these women too than does the notion that they are merely fleeing disgrace.¹³² Yes, the choice is still between death and dishonour, but the emphasis is on the achievement of choosing the

¹³⁰ Although one scholar misleadingly describes Lucretia's self-killing as 'committed for pure shame' (van Hooft 1990: 50).

¹³¹ On suicide (as represented in the Flavian epics) as a political act of 'defiance and self-liberation committed in the face of oppression and tyranny' see McGuire 1997: 185, cf. 23–4 and 227–8.

¹³² See too Griffin's description of Stoic self-killing as 'one way of accepting death as the price of preserving virtue' (Griffin 1986 I: 74).

one above the other, the heroic valour needed to do so, just as men make difficult heroic decisions. There is no question at Val. Max. 3.2.14 that Cato's self-killing is glorious: it is described as a 'most illustrious death' (*clarissimus excessus*) in direct contrast to Laetorius' 'foul end' (*foedus exitus*). The stories of the women in 6.1 echo several elements of 3.2.14: like Hippo, Cato has a monument to his glory; like Lucretia, his death is brought about by the sword and is described as courageous; like the Teutonic women, his deed offers a lesson to others.¹³³

We might compare the situation of the foreign women who find themselves in the hands of enemies and vulnerable to dishonour on that account to another tale that comes just a little earlier in chapter 3.2, that of the Roman P. Crassus. He has been captured by the Thracians and, while he is being taken to their commander, escapes the dishonour of capture by provoking one of his guards into killing him by poking the guard in the eye. Valerius comments: 'he escaped disgrace by thinking of an ingenious way to die' (*dedecus arcessita ratione mortis effugit*).¹³⁴ Again this death is considered glorious, and is an *exemplum* of fortitude or bravery.

A further parallel between the two chapters of *fortitudo* and *pudicitia* can be found in the authorial comments at the end of 3.2.7 and 6.1.ext.2. Compare the way that Valerius lauds the courage of the Roman magistrates who elect to remain in the centre of Rome rather than take up space in the fortified Capitol during the invasion of the Gauls, with his praise for Orgiaco's wife:

... **capi ergo virtus nescit**, patientiae dedecus ignorat, fortunae succumbere omni fatio tristius ducit, nova ac speciosa genera interitus excogitat, si quisquam interit qui sic extinguitur.

... *virtus* knows not how to be taken prisoner, it knows not the disgrace of passivity, it believes that succumbing to misfortune is worse than any death, it thinks up new and spectacular ways of dying – if you can call it dying when someone is extinguished in this way (Val. Max. 3.2.7).

huius feminae quid aliud quisquam quam corpus in potestatem hostium venisse dicat? nam neque animus vinci **nec pudicitia capi potuit**.

Clearly it was only in body that this woman was in the power of her enemies; her spirit could not be conquered, nor her *pudicitia* taken prisoner (Val. Max. 6.1.ext.2).

¹³³ Grisé 1982: 227–8 offers a long list of further examples of Valerius praising suicide: 3.2.12–14, 4.7.5, 6.8.3, 9.9.2, 9.12.4–6 with 3.5.1, 6.8.4, 4.6.6, 4.6.1–3, 5.8.3, 2.7.6, 5.8.4, 2.6.14, 3.2.ext.1, 5.6.ext.3, 6.6.ext.1, 9.12.ext.1 and 2.6.7–8.

¹³⁴ Val. Max. 3.2.12. Note that here the avoidance of dishonour is described as flight or escape – *effugit* – but not a shameful one.

The sentiments are similar: one's enemies may be able physically to humiliate and destroy one, but the essence of virtue of the individual manifested under these circumstances is immune to this humiliation and destruction. It cannot be captured, conquered, made to succumb, and the words used to describe the fates to which the virtue (*virtus, animus* or *pudicitia*) cannot be forced to endure (*capi* – 'be captured', *succumbere* – 'surrender', *vinci* – 'be defeated') all recall what the people themselves are suffering, and recall too the context of war which is the setting for both of these stories. The virtue of the Roman magistrates, we are told, knows not *patientiae dedecus* – 'the shame of passivity' – precisely the shame to which Orgiako's wife (and the other women) are exposed (*stuprum pati coacta*) and yet triumph over. The phrases in the passages above which I have highlighted in bold are particularly alike, speaking of the intangible virtue of the hero which cannot be seized by the enemy.

So through such echoes of military bravery and heroism between the two chapters, the deaths of these women are associated with the deaths of famous Roman heroes, and are thus raised to the level of heroic deeds themselves. Lucretia's death by the sword already has the characteristics of a glorious act simply because of what it is: self-killing using the soldier's weapon in the Roman way. Lucretia 'uses a sword to kill herself (*ferro se . . . interemit*) – a sword which she has brought to the meeting with her relations 'hidden among her clothes' (*quod veste tectum attulerat*).¹³⁵ In Roman culture this kind of self-killing, striking oneself with sharpened metal (*ferrum, gladius* etc.), was in itself an act which was both prestigious and inevitably therefore gendered as masculine and considered particularly Roman as opposed to foreign.¹³⁶

Until now I have emphasised the similarities between Lucretia's story and the foreign examples, but it is clear that if Lucretia draws much of her heroism from the classic Romanness of her suicide that comes from her use of the sword, the foreign women, despite the praise they receive and the military touches which appear in their tales, are in a different category.

¹³⁵ The fact that the weapon is hidden until the crucial moment may also be significant; even during this act of courage and virility a woman is forced to be devious and cunning as well. This element in Lucretia's story also echoes 3.2.15 in which Porcia is similarly devious in the way that she procures for herself a sharp weapon and tests her own capacity for self-killing. However, Romans also told tales of tussles between male self-killers and those around them; in Plutarch's version of the death of Cato at Utica, those around him attempt to thwart his attempts to kill himself by hiding his sword and then by sewing up his wound (Plut. *Cato Minor* 68–71).

¹³⁶ For the gendering of self-killing with a sword see e.g. Grisé 1982: 96–8 and van Hooff 1990: 21–22. For its Romanity see Grisé 1982: 226.

The Teutonic women hang themselves. Hanging is a common death for women in Greek tragedy.¹³⁷ However, the two recent monographs on the subject of suicide both emphasise that despite this Greek precedent (or perhaps as a development out of it), in Roman society hanging was considered to be the death of inferior people, and was regarded with revulsion.¹³⁸ Van Hooff notes that in Senecan tragedies the women who in their Greek setting killed themselves by hanging in the Roman versions use cutting implements.¹³⁹ In the *Aeneid*, the noose with which Amata hangs herself is described as 'knot of ugly death' (*nodum informis leti*, *Aen.* 12.603), emphasising the disfigurement of this way of dying, and Servius writes ad loc. of ancient Roman taboos against hanging.¹⁴⁰ One reason why upper-class Roman women in particular might have found suicide by hanging a revolting idea was that it was the means of death used for the capital punishment of this section of Roman society.¹⁴¹ In fact, the only other women recorded in Roman literature who kill themselves in this way are the freedwomen Epicharis and Phoebe, with their Greek names.¹⁴²

In other words, this form of suicide is the polar opposite of the soldierly stab which we found in Lucretia's story; rather than being masculine, heroic and Roman, the death of the Teutonic women has associations with effeminacy, shame, inferiority and foreignness. This is the case with Hippo's death too; throwing oneself into water was a method of death similar in association to hanging.¹⁴³

So although up until now we have seen Lucretia and the foreign women as falling into the same category of heroic and highly praised avoidance of *stuprum*, it is also clear that in other ways these women whose stories are told at the foot of the chapter are sharply differentiated from Lucretia. Their status, in the context of Roman society, is very different, and the means that they use to kill themselves clearly reflect this. Lucretia is a traditional Roman hero, and a *matrona*, and she kills herself in the traditional heroic Roman way. The women who appear in the 'foreign' sections do not belong to Roman society – in fact in the latter two cases they explicitly belong to societies which are enemies of Rome; they are prisoners of war,

¹³⁷ Cf. Loraux 1987 *passim*, and especially 9: 'hanging is a woman's way of death'.

¹³⁸ E.g. 'Nevertheless, in real life hanging is counted as vulgar, in the double sense of the word. Especially in the Roman world there is an outspoken disgust.' (van Hooff 1990: 65–6) and 'La pendaison semble avoir été l'une des formes traditionnelles de suicide dans les classes inférieures de la société romaine.' (Grisé 1982: 108).

¹³⁹ Van Hooff 1990: 66.

¹⁴⁰ Explored by Grisé 1982: 141–9 under the heading 'Le tabou de la pendaison'.

¹⁴¹ Grisé 1982: 108. ¹⁴² Tac. *Ann.* 15.57 and Suet. *Aug.* 65.2.

¹⁴³ Van Hooff 1990: 77.

compounding their inferior status as women and foreigners by also having the shameful status of the conquered. The shameful and desperate measures that Hippo and the Teuton women use to take their own lives reflect the shameful desperation of their circumstances.

In a practical sense, in terms of the narrative of the tales, we might argue that the methods which these women employ are a reflection of the constraints of their situation. What option is available to Hippo, for example, a prisoner on an enemy ship, other than to cast herself into the sea? Neither she nor the Teutonic women would be likely to be in possession of knives or swords, since they are prisoners. They have to improvise, which is not always inglorious; compare Crassus' need (3.2.7) to improvise a new way of dying heroically, since in his captive position he possesses no weapon, or Valerius' praise for Porcia who manages to die by swallowing hot coals when there was no sword handy (3.2.15). Further, to an extent their desperate measures reflect the fact that their suicides are means of escaping from sexual violation, rather than Lucretia's tying up of loose ends after the deed is done. The foreign women choose their methods of self-killing according to their inferior station as non-Romans and captives, and according to their consequent lack of choice.

However, the difference between these foreign women and the most Roman Lucretia is not just about practicalities; it is significant in terms of the structure of the chapter and in terms of the moral force of the tales – and these things are intimately connected in Valerius' work. In terms of the structure of the chapter, we can see that from *dux* Lucretia to a nameless mass of dangling captive Teutonic women is a descent all the way. It is also, by the same token, a journey outward from the heart of Rome, Roman institutions and Roman values, to the margins of the Roman world (in geographical as well as moral terms). Lucretia's Romanness is accentuated at the beginning and end of the *exemplum* which starts *dux Romanae pudicitiae* and ends *populo Romano praebuilt*; the second and the penultimate words are 'Roman'. Then throughout the chapter we move away from the forum and the senate house, into the Roman military camps and eventually to the final stories dispersed in the Greek sea, at the foot of Mount Olympus, and in Gaul. Lucretia's is a name which resounds throughout Roman culture, the women in the final stories have no name. The high to the low, the centre to the periphery, the beginning to the end: this is one way in which the chapter is structured according to the conventions of Roman rhetoric. This hierarchy works in opposition to the structure which I outlined previously, where the 'frame' of Lucretia and the foreign women contrasts with the 'central part' of the stories with male protagonists; the two overlaying structures interact

in interesting ways: Lucretia has a foot in both camps – she is fundamentally Roman and fundamentally other. The foreign women are both modelled on Lucretia and as far away from her as it is possible to be. The chapter is both progressively linear, and a loop which ends where it began.

From one perspective, then, these foreign women are the lowest of the low, as befits their position in the chapter. They are nothing but booty – the possessions of the Romans, captured by victorious Roman soldiers.¹⁴⁴ Yet the Roman soldier who treats Orgiogo's wife as though she *were* his chattel (uses her and then tries to sell her) is characterised as vicious in his greed and his lust.¹⁴⁵ The methods the women use to kill themselves heighten our awareness of the fact that they are almost as far from a traditional Roman *vir* as it is possible to be. Yet in their deaths two models of self-killing – the desperate and base, and the heroic and Stoical – become one.

In the last sentence of the chapter a gender paradox is set up when the Teuton women become the ultimate representers of *virtus* and Valerius suggests that they could teach their own soldier-husbands a lesson about *virtus* ('virtue', but also 'manliness'). 'We are fortunate that the gods did not grant the same courage to their husbands on the battlefield; for if the men had been inclined to imitate the *virtus* of their wives, our victory over the Teutons would not have been so secure.' The quality which these women should teach men is *virtus* itself: how to be a man. We might read this final section as an indication that virtues can be manifested in different ways according to the identity of the virtuous: here *virtus* for a woman is suicide in the face of *stuprum*, whereas for a man it would be fighting on the battlefield.

What does this text that claims to document the sweep of ethical life say about *pudicitia*? It starts by suggesting that *pudicitia* is at the heart of Roman religious, political, domestic and personal life and stating that it is of relevance to both men and women equally. But what then does the chapter offer men and women who might read the work in the way of ethical teaching or illustration of the virtue?

The final stories incorporate familiar warnings about lust (*libido*) and desire (*cupido*) and their disruptive influence upon the state. I have noted that the women in these last two stories are unnamed – a strange thing for exemplary figures and an aspect which underlines their low status. Yet if we look again at these stories we see that there *are* after all names in these stories – Roman, exemplary names which can serve as pegs on which to hang the stories, names which set the stories in place and time, which

¹⁴⁴ Or, in the case of Hippo, an unknown enemy.

¹⁴⁵ Cf. *stuprum, pretium, aurum*.

have resonance for Roman readers: Cn. Manlius and Marius. These names appear close to the beginning of the stories, exactly as the names of the protagonists of these tales should, and are characterised by words which indicate their high-ranking positions: *Cn. Manlio console*; *Marium victorem*. Both men are shown in situations of military victory, and are means of scene-setting, making up the background against which the events of the narrative unfold: 'This happened after that famous battle of Cn. Manlius against the Galatians;¹⁴⁶ that took place after that famous conquest of the Teutons by Marius.' As *exempla*-style names, and very illustrious names at that, their position at the foot of the chapter is unusual. It is all very well for far-off, nameless women to be stuck out here on the margins of Rome-centred virtue, but Roman consuls are in the wrong place. Of course, they are there in their positions as victorious Roman generals engaged in expanding and policing the boundaries of the empire. However, when Roman soldiers rub shoulders with foreign types and with women, something is likely to rub off on them, as we know from generations of Roman historians.

In this context, the name of Cn. Manlius and the reference to his Asian campaigns is particularly significant, since it is Manlius and his campaigns in Asia in the second century BCE that were described by Livy as having corrupted the morals of the Roman soldiers.¹⁴⁷ His lax military discipline, combined with the temptations on offer in this exotic region, meant that foreign luxury was imported for the first time into the city of Rome; from this point of pollution Livy traced the moral degeneration of the Romans. So the name of this Manlius is already evocative of the moral dangers of such faraway places. To drive the point home, the centurion who forces sex upon the wife of the Galatian chief and then tries to ransom her to her family is very much modelled upon this antitype of the Manlian soldier who is unable to resist the gold and the beautiful woman; the woman's beauty is mentioned explicitly in this tale as in no other in the chapter, to emphasise the luxury, the exotic nature of the situation.¹⁴⁸

This framing of the tale of foreign *pudicitia* within the context of Manlius' campaigns adds another new dimension to the role played by these women; at the same time as being morally staunch and heroic, they are also corrupting influences, and contact with them causes *male* Roman virtue to weaken and crumble. Yet as well as being partly identified as the root of this Roman weakness, they are also set up in contrast to it, subverting

¹⁴⁶ See Chapter 2 pp. 109–13 above. ¹⁴⁷ Livy 39.6.5.

¹⁴⁸ In Livy's version of this tale (38.24) the emphasis on the (typical) corruption of the centurion is even more explicit: 'the centurion who guarded her excelled in both lust and the avarice of a soldier'; see Chapter 2 above.

traditional Roman expectations about the distribution of moral strength and weakness.

The man who plays the bad character in ext. 2, the *stuprator*, is a centurion from the victorious Roman army. In this tale the part of the virtuous Roman family who avenge the *stuprum* (in parallel to Lucretia's relatives in 6.1.1) is played by a bunch of defeated Galatians, headed by a woman. 'We', the Roman readers, are being asked to identify with the foreigners, to step over the line, to stand against our own army. Further, because of the fact that this woman, and the women in the other two stories, are described in terms which are borrowed from descriptions of virtuous Roman soldiers, in heroic and military terms, as I argued above, the shabby appearance of the *real* Roman soldiers is all the more striking in contrast.

In ext. 3 there are no actual *stupratores*, since the hanging pre-empts any *stuprum*, but the threat lies implicitly in the Roman soldiers in whose power the women are being held. There is even a sense in the passage that the women are being taken from the battlefield back to Rome (Marius is *victor*, as if he is about to lead the women through Rome in a triumph, and the women make reference to the Vestal Virgins at the heart of the city); in this case it is the whole population of the city that poses a threat. Moreover, in appealing to the Vestals, the foreign captive women are showing themselves to be in tune with Roman morality and religion,¹⁴⁹ more Roman than the Roman general who refuses them that refuge; Marius is not a rapist, but in this tale he places himself in opposition to the chaste devotion of his captives.

The reference to Marius takes us back to section 12 of the Roman *exempla*, where he was in a different role, pronouncing judgement on the behaviour of others. That section was about the lust of a military tribune within the army, as was the preceding section. In section 11 the lustful man is again a centurion (*libidinosi centurionis*) and section 10 is particularly interesting from the point of view of tarnished Roman soldiery. The soldier and *stuprator* C. Cornelius is figured initially as the archetypal Roman hero on the battlefield. Consequently the next phrase 'since he had traded *stuprum* with a freeborn adolescent boy' (*quod cum ingenuo adulescentulo stupri commercium habuisset*) is a shocking change of tone: from the exalted to the wicked. Note that he is the one Roman man who actually has sex with a freeborn Roman male – in other cases the *stuprum* is described as attempted rather than achieved. At the end of this section, when we have been dragged through the humiliation of his accusation, his being clapped in chains, his

¹⁴⁹ In the preface *pudicitia* is located in the temple of Vesta, as we saw (p. 40, Chapter 1).

pathetic attempt to divert some blame onto the youth, his sordid death in prison, Cornelius is again described as being one of the Great Men (*fortes viri*), and in the last opposition we are reminded again of his military achievements when the perils he has encountered in war abroad are contrasted with the tasty sexual morsels he has indulged in back at home.¹⁵⁰ This section shows us a man who is the best kind of Roman soldier, yet the worst kind of *stuprator*; the emphasis on his military excellence and his membership of that exclusive club of Great Men can only mean that his sexual degradation reflects badly on the military. Even before we reach the foreign sections, the chapter has made the association of the Roman soldier with moral corruption.

In these tales, then, the foreign captive women are modelled on Roman heroes of the battlefield such as Crassus and Cato. Meanwhile, the Roman soldiers come to embody sexual threat – which is one of the crucial elements of this chapter of course – and moral laxity: they stand for excess and lack of self-control. These final stories undermine the figure of the authoritative, paternalistic Roman man which we saw being set up in the central stories of this chapter, and cause us once again to think about the effect of power on a man. They provide lessons about the flip side of power – the abuse of power is another key theme of Valerius' work – how to manage one's own power and regulate one's own desires, and a warning about the disruption that follows if one fails to do so.

CONCLUSIONS

Since *exempla* have a didactic purpose, how might these violent and heroic tales impinge upon the moral outlook of a Roman reader? Do they provide guidance in how to behave or how to think ethically? The relationship between the tales and the moral messages which they convey proves a complex one; there are a variety of different manifestations of *pudicitia*, relating in different ways to different kinds of protagonists and readers.

Several of the stories in this chapter, for example, shape the subjectivity of an authoritative male, encouraging him to regulate the sex lives of others. In this case, *pudicitia* is a moral force that gives a man the moral edge that enables him to fulfil his role when it is at its most demanding. Protection of vulnerable bodies is one of the most important roles in society for adult men. In such a formulation, *pudicitia* is experienced as a combination of courage, severity, moral focus and devotion to country and family that we

¹⁵⁰ 'Domestic luxuries with the external dangers' (Val. Max. 6.1.10).

find in many traditional Roman *exempla* and throughout Valerius' work. However, the vacillation of the text's attitudes towards severity and leniency, as well as the qualified responses to individual deeds themselves, suggests that the text intends to direct the reader to *think* about moral issues rather than simply plunge in in imitation of great men. *Exempla* are often offered to the reader as models for *imitatio*, which is an important element of Roman moral education. Indeed many of the *exempla* in this work are themselves described as following in the footsteps of previous *exempla*.¹⁵¹ However, the complexity of the moral outlook indicates that there is more to learning from exemplary deeds than blinkered emulation.

When Valerius ponders the possibility of the Teuton soldiers imitating the *virtus* of their wives, he uses the language of *imitatio* (the verb *imitare* is used). However, the men are not expected to replicate exactly the behaviour of the women in this scenario. For them *virtus* would not lie in hanging themselves; they need to *translate* the virtue of the women's actions into behaviour which is appropriate for their own circumstances. This closing formulation reminds us that a reader's very close identification with the protagonist of the tale is not necessary for him or her to provide the reader with an illustrative model of virtue. Men may be inspired by the deeds of women, free citizens by the deeds of slaves, Romans by those of foreigners, and vice versa. This can work by the mechanism of 'the argument from the greater', which is outlined by Quintilian using just such a kind of example: since courage in a woman is more extraordinary than in a man, stories of courageous women have more rhetorical force.¹⁵² Underpinning this is, of course, the assumption of female inferiority; and men who read these stories are shamed by the achievements of women which should be less than their own.

The work also portrays women as moral agents and urges that girls must be taught to conduct themselves in an appropriate manner. The representation of female subjectivity and female learning in chapter 6.1 raises the possibility of an intended female readership, which would learn different ways to relate to *pudicitia*. Female subjectivity is also problematised, in particular in the figure of Lucretia whose male and female parts are far from reconciled. The military resonance of the stories told about female *exempla* in this chapter may suggest that female experience of sexual threat and responses to this are being translated into terms that men can understand and relate to their own experiences (for example on the battlefield).

¹⁵¹ See 2.6.4, 3.2.17, 3.2.20, 3.2.4, 3.3.ext.4, 4.2.5, 4.3.9–10, 5.4.4, 5.8.3, 6.1.ext.3, 8.2 and 8.14.

¹⁵² Quint. *Inst.* 5.11.10–11.

This relationship between the themes of military and sexual virtue may also explain the phenomenon of male soldiers learning from the chaste deeds of women.

The messages that Valerius' work conveys are communicated not by isolated *exempla*, but by the interplay between all the elements of the chapter, and between chapters in the work, as well as through reference to alternative versions of the stories which exist outside the text, and were available to Roman readers through their own pool of shared cultural knowledge (and to us only as fragments from surviving sources). This interplay and flexibility allow a far more nuanced exploration of virtue and morality than we might have expected. Chapter 6.1, through its variations and contradictions, lets us know that *pudicitia*, *stuprum* and the threat of *stuprum* affect the whole of Roman society. Everyone needs to be aware of the boundaries, and all, regardless of status, have regulatory roles to play of various kinds. However, these boundaries themselves are blurred and difficult to regulate and hence the difficulty of pinning down the precise nature of *pudicitia* or the exact lesson which a reader should learn. The questions which are raised by the juxtaposition of this diverse range of stories cannot easily be resolved. They are clearly live issues for Valerius, and we might also suppose them to be so more generally for the Roman society of the period.

Valerius' chapter 6.1 interweaves various traditional ways of thinking about *pudicitia* and brings a diversity of messages into one bulging package so that the reader can consider the implications of all the different messages. Different sections of society relate to *pudicitia* in different ways, and the relationship is always problematic and challenging to fundamental aspects of identity, but, as the chapter begins by telling us, it is crucial to all.

Subversive genres: testing the limits of pudicitia

This [next chapter](#) examines material from a variety of genres and eras: Propertius' *Elegies* (29–16 BCE) and Ovidian poetry (late first century BCE to early first CE), Roman new comedy (late third to second centuries BCE), the fables of Phaedrus (mid-first century CE), and the prose novels of Petronius (mid-first century CE) and Apuleius (mid- to late second century CE). Despite their range, these sources are united by common characteristics. They are all from 'playful' genres, employing humour, satire and subversion in order to challenge conventions – whether literary and generic or social and moral. They exhibit irreverence towards the sober moralising traditions of myth, *exemplum* and history, and probe the boundaries of the concept of *pudicitia* as we have seen it outlined in [previous chapters](#) in the more traditional media. Livy is an innovative and subtle historian, and Valerius Maximus a thought-provoking and complex compiler of *exempla*, and they are by no means representatives of a monolithic and unquestioning Roman moral tradition (as Chapters 2 and 3 have argued). Nevertheless, there is a certain sincerity and directness in their moralising that provides a foil to the texts that will be examined here.

All the texts studied in this chapter are broadly associated in one way or another with the ancient concept of the *fabula* (fable), a kind of narrative that was as traditional to Roman culture as the *exemplum*, yet directed towards a more popular, less well-educated audience.¹ The term *fabula* describes the plays of Plautus and Terence, the racy Milesian tales of seduction and adultery that inform popular mime and are retold in the novels of Petronius and Apuleius,² the ancient stories from Greek myth and literature

¹ See the Introduction of Adrados 1999–2003, vol. 1 for the relation of the *fabula* to the *exemplum*, and its association with satire, criticism, and popular morality. Cf. Holzberg 2002: 32–3 for *fabulae* in the Roman literary tradition, particularly satire. Of course much of this literature, especially the writings of Propertius and Ovid with their Hellenistic influence, is highly sophisticated.

² Cf. the opening of Apuleius' *Metamorphoses* 1.1: 'But I should like to weave for you in the Milesian style various fables and caress your ears with a charming whisper.'

such as those retold in Ovid's *Metamorphoses*,³ as well as fables in the tradition of Aesop, such as those of Phaedrus. *Fabula* also denotes a fictional tale more generally,⁴ as distinct from, and inferior to (at least in the stated view of ancient historians and orators), the 'true' stories of *exemplum* and history.⁵ It describes the common talk of the community,⁶ and, in the context of love elegy, the reputation-threatening stories and gossip about figures in society, often publicised by the poetry itself, that have the power to injure their target.⁷ *Fabula* suggests a tale that is spicy and enjoyable – the pleasure it arouses in the reader is an important aspect of its effect⁸ – but somewhat disreputable at the same time, appealing to the lowest common denominator; as Quintilian writes: 'Such fables . . . are usually particularly influential on the minds of the unsophisticated and uneducated, who listen more naively to made up stories, are easily drawn in by entertainment and go along with what they enjoy.'⁹ Nevertheless, the fictive quality of *fabulae* permits them a certain licence to do things that other forms of narrative cannot,¹⁰ and 'despite the fact that they are not to be believed, they nevertheless have the power to affect the reader profoundly'.¹¹ In the view of some members of the educated elite, *fabulae* can be dangerous because they have the power to sway the susceptible, and to corrupt, and the attractive and deceptive nature of fables is emphasised by the fabulist Phaedrus in his prologues.¹² Likewise, all the genres discussed in this chapter come under attack in one way or another for their corrupting influence. Comedy is a target of Cicero's moral criticism, for instance, when he claims that its popularity relies on people taking pleasure in scandalous and shameful acts

³ Ovid uses the term of his tales at *Met.* 2.577 and 4.189, for instance.

⁴ Cf. the definition at Cic. *Inv.* 1.27: 'a fable is a story in which the subject matter is neither true nor realistic'. Cf. *Fin.* 5.64 for *fabulae* as 'made up' (*fictae*).

⁵ For this distinction see e.g. Livy praef.6; Tac. *Ann.* 6.28; Cic. *Fin.* 5.22: 'Why do we read with pleasure fictional tales from which no utility can be elicited?'

⁶ E.g. the 'popular tale' (*vulgaris fabula*) of Ov. *Met.* 4.53.

⁷ E.g. Catul. 69.5: 'some evil *fabula* will damage you'; Tib. 1.4.83: 'Spare me boy, I beg, lest I should become a shameful *fabula*'; Tib. 2.3.31–2: 'now he is a *fabula*; but someone who has a passion for his girlfriend would rather be a *fabula* than a loveless god'; Ov. *Am.* 3.1.21–2: 'you don't realise, but you are a *fabula* gossiped about throughout the city'; Ov. *A. A.* 2.630: '... will she be a shameful *fabula*?'.
⁸ See Hor. *Ars* 338–9: 'let fictional tales (*ficta*) designed for pleasure be very close to true stories, and let a fable (*fabula*) not demand to be believed' and Cic. *Fin.* 5.52.

⁹ Quint. *Inst.* 5.11.19. Strabo (1.2.8) claims that such tales appeal to women, children and the masses; they are also, according to the rhetors, what children cut their teeth on in school in the study of narrative and morality, before they reach the serious stuff of *exempla* (see Holzberg 2002: 30).

¹⁰ On the *licentia* of fables see e.g. Cic. *Nat. Deor.* 2.7; Colum. 9.2.

¹¹ Cic. *Part.* 40. ¹² See Henderson 2001.

(*flagitia*).¹³ Juvenal decries the moral laxity of the poems of Propertius (6.7–8) and of the theatre (6.41). Such material is defined, both by itself and by others, against more elevated genres and prescriptive moralities.¹⁴

It is in such a spirit that Horace suggests in his *Satires* that Greek myth's paragon of wifely virtue, Penelope, can be bought (2.5.76–83) and Ovid that, like Troy itself, she would have been conquered eventually by a persistent wooer (*A. A.* 1.477–8),¹⁵ or Martial that Rome's own icon of *pudicitia*, Lucretia, is a mere act concealing a very different reality of sexual behaviour.¹⁶ Subversive genres mock, challenge and undermine such figures of Greek myth and Roman tradition, together with the values they represent. Ovid's *Heroides* is a gentle yet insistent exponent of such an approach to Homeric myth. The collection of poems opens with an extensive and complex portrait of the mythical figure of Penelope, exploiting many strands of the ambiguous tradition that surrounds her, casting doubt on any simple characterisation of her as the archetypal faithful wife.¹⁷ The paired letters of Paris and Helen in *Heroides* 16 and 17 enact the response of a married woman to the amorous approaches of another man.¹⁸ The love affair of Paris and Helen is of course an archetypal adultery tale, and we know from the start that she will end up with Paris and precipitate the Trojan War, so we follow Helen's deliberation with cynicism, but the fascination of watching the seduction in all its intimate detail is nonetheless potent. Ovid enables us to believe that we are seeing into the mind of a woman in the very process of making an (un)ethical decision; Helen thinks to herself 'but other women sin, and a *pudica* married woman is a rare thing' (*at peccant aliae matronaque rara pudica est, Her.* 17.41).¹⁹

All the texts discussed in this chapter explore the concept of *pudicitia* and associated ideals (such as the *univira*, the faithful wife and the necessity for a husband's suspicion of, and control over, his wife) in order to test the

¹³ Cic. *Tusc.* 4.68; cf. his letter to Paetus about obscenity in comedy (*Fam.* 9.22.1). See also Sen. *Contr.* 2.4; Juv. 6.41–4 and on moralising about the Roman theatre see Edwards 1993: 98–136.

¹⁴ Not that such genres are not themselves sophisticated, and the complex explorations of *pudicitia* that we see in the works of Livy and Valerius Maximus defy such a suggestion, but the texts studied in this chapter approach the issues from new angles.

¹⁵ Compare the corruption of a Penelope at Martial 1.62; her sauciness 11.104; *Priap.* 68 and the irreverent wordplay of 67, where the first syllable of her name forms part of the word *pedicare* ('to penetrate anally').

¹⁶ See the discussion in Chapter 2 above, p. 83.

¹⁷ For the range of competing ancient traditions about Penelope see Katz 1991: Chapter 4, Jacobson 1974: 246 n. 7, Winkler 1990; for Ovid's deliberate exploitation of these see Lindheim 2003: 41–51; for Ovid's Penelope as a figure of resistance to traditional (male) narrative see Spentzou 2003: 104.

¹⁸ For more on this topic in the genre of declamation see Chapter 5 below.

¹⁹ On this pair of poems and the representation of Helen's inner struggle see Kenney 1996, Spentzou 2003: 29–31, 36–7, 130–2, 146–7, Kennedy in Hardie 2002b.

limits of these ideals, to undermine apparent certainties and expose their problematics. The chapter falls into four parts, in which the sources are examined not chronologically but so as best to draw out the developing themes of the material: first the problems caused to traditional ideals when it proves impossible to distinguish clearly between women of different social status; next the delicately poised ethics of a husband's control over his wife's sexuality and criticisms of the impossibilities that marital ideals require; finally the subjection of sexual idealism to the cynical pragmatism of the ancient novels.

The subject of the first section is Propertius, whose amatory *persona* displays a tortured elegiac ambiguity towards traditional sexual ethics – at once rejecting them in order to pursue a carefree erotic existence and invoking them as a means of protecting his love affairs against the threat of other men.²⁰ In such an environment the very meaning of *pudicitia* becomes unclear, and its troubled role in elegy is indicative of the way that social structures and relationships in the literary tradition are not, and cannot be, matched to those of the *mores maiorum*. The second section looks at the plays of ancient comedy, whose plots are founded on misunderstandings about the *pudicitia* of female characters (in relation to their social status), while many of the jokes mock moralistic sentiments by placing them in the mouths of inappropriate characters such as slaves and prostitutes. Plautus' *Amphitryo* takes as its central focus the problems that may arise within a marriage when the husband is required to monitor his wife's behaviour with suspicion and the wife to ensure that suspicion about her *pudicitia* is never aroused. The flaws inherent in this moral system almost bring the husband and wife in this play to divorce; in section 3 this idea is pursued through two early imperial sources (Ovid *Metamorphoses* 7.641–865 and Phaedrus *Fables* 3.10), where the consequences of unwarranted conjugal suspicion are far worse – ultimately fatal. All three sources suggest, amongst other things, that assiduous regulation of *pudicitia* in the time-honoured way (and in the manner prescribed by Augustan legislation) can have highly undesirable consequences. Finally, while the sources so far reveal the difficulties of applying traditional and abstract ideals to specific cases, and provide warnings about the tangles you can end up in when you try, the novels of Apuleius and Petronius take the implications further and expose *pudicitia* as nonsensical and hypocritical idealism: a useful façade to which the protagonists of novels pay lip service,²¹ but which they must

²⁰ On the contradictory nature of Roman elegy generally, with further bibliography, see Miller 2003: 4.

²¹ Cf. Martial, see n. 16 above.

often brush aside or redefine if they are to triumph or survive in the 'real' world.

PROPERTIUS' ELEGIES AND MORAL INCONSISTENCY

I shall begin by picking up a thread from the first chapter: the semantic confusion that arises when a writer of Roman love elegy introduces the notion of *pudicitia* into the world of erotic activity depicted in his poems. Over a hundred years after Catullus and Propertius, the satirist Juvenal will describe the lives portrayed in their poems as dating from an age when *pudicitia* no longer regulated the lifestyles of Romans – a time of immorality.²² Yet in fact *pudicitia* is one of the guiding themes of the oeuvres of both poets, and I shall go on here to discuss the case of Propertius' *Elegies*.²³ Elegy is a genre openly fascinated with morality and the scrutiny of sexual behaviour, directing its insistent critical pursuit inwards upon its own creations, chasing them sometimes away from and sometimes towards conventional ethics.²⁴ As we saw in Propertius' poem 2.6 (discussed in Chapter 1), anxiety or disapproval that is expressed about sexual morality often focuses on the female as moral agent, and Propertius suggests that women are to be envisaged as readers of his poems.²⁵ The genre notoriously does not make it clear, however, whether its *puellae* are to be thought of as adulterous married women or as professional courtesans, as real and historical, or fictional and symbolic.²⁶ Such a lack of clarity about the status of the poems' protagonists is significant.²⁷ Propertius portrays *pudicitia* above all as susceptible

²² Juv. 6.7–8.

²³ Although a key issue in Catullus' poetry is whether his own poems are *pudica*, and how the answer might reflect on the poet himself (see especially poem 16), Catullus most frequently uses the adjectives *pudicus* and *impudicus* as part of invective against others (15.5, 21.12, 29.2 and 10, 42.24, 76.24, 110.5), and this socio-literary role of the concept of *pudicitia* will be discussed extensively in Chapter 6 below, with particular reference to Catullus' contemporary, Cicero. The word *pudicitia* itself occurs only once in his extant collection, during his marriage hymn (61.224), for which see above Chapter 1, p. 47. Although many tropes are common to all our extant writers of Latin elegy, it is for Propertius above all that *pudicitia* is a matter of particular concern. In fact, neither the word nor its cognates occur in the extant works of Tibullus or Sulpicia. For the concept of *pudicitia* in the works of Ovid see Chapter 1 above, and below, pp. 223–6; the words appear in the *Amores* at 1.8.19, 3.14.3 and 13, and in *A. A.* 1.743. Cf. *Ib.* 349: *nec tibi contingat matrona pudicior illa*.

²⁴ On the moral tensions in elegy see Kennedy 1993.

²⁵ For explicit reference to *puellae* as moral subjects engaging with the poetry itself: 2.6, 3.3.19–20. Spentzou 2003: 22–33 discusses the possible implications of female subjectivity in this genre.

²⁶ See James 2003 for a recent argument about the meretricious nature of the elegiac *puella*, with Sharrock's review (Sharrock 2003). On Cynthia see Miller 2003: 1–30 and 60–94; Wyke 1989, now in Wyke 2002.

²⁷ For the 'aporia' of elegy see Miller 2003, esp. 158–9, 20–2; cf. Gowers 1993: 10–11 on the 'confusion of moral systems'.

to damage from disturbances in the social order; without clear boundaries between free and slave, male and female or prostitute and *matrona*, *pudicitia* struggles to fulfil its proper social functions. In his four books of elegies, we see *pudicitia* caught up in the interaction between Greek myth and literary tradition, Roman moral tradition, and the bafflingly licentious urban context of the 'Rome' in which the scenarios of love elegy unfold. Many of these scenarios are inherited from the Hellenistic poetry that influenced Propertius and his peers, but the tropes of Hellenistic poetry are allowed to play havoc with the traditional values and structures of Roman society.²⁸

Sometimes, then, the moralising is aligned with the shore, tethered to Roman tradition, at other times it seems to be afloat in the elegiac ocean. Here is the bind: it is the sexual licence of the elegiac world that enables the passionate relationships of the poems, such as that between the poetic personae of Propertius and Cynthia. Yet this same context is morally corrosive and thus renders such relationships unstable and places them at risk from the intervention of other men.²⁹ The poet-lover of elegy, then, embodies at once the contradictory types of bold immoral lover and fearful husband.³⁰ The same *puella* may seem in one light a promiscuous and hard-hearted courtesan and in the next an innocent who needs to be sheltered both from moral corruption and from the damaging force of rumour. In such an environment, *pudicitia* is at times called upon to regulate the relations between the possessive poet-lover and his mistress, just as it would a conventional marriage; at others it is reviled as inhibiting the poet's love affairs.³¹

This ambivalence towards conventional sexual values is nicely evoked in an instance of intertextual dynamics in the first book of the *Elegies*. The book opens with the confession that the poet-lover is ensnared by the twin forces of Cynthia (the woman who will feature as the object of his passions throughout the collection) and Amor, the god of love. Already, Love has retrained the lover, perverting his moral sensibility: 'Unprincipled Love taught me to hate chaste girls' (*amor me docuit castas odisse puellas improbus*, 1.1.3–4). In the persona of elegiac lover, under the influence of this kind of love-force, Propertius does not value sexual purity (*castitas*);

²⁸ See Miller 2003: 4 and 39 on the Hellenistic background.

²⁹ The corrupting presence of the *lena* or procuress is crucial here; see below.

³⁰ See Veyne 1988 on the inconsistency of the lover's ego.

³¹ So at times Propertius depicts himself suffering from jealousy and suspicion and attempting to impose marital control on his relationship with Cynthia, and protect her from corruption (e.g. 1.2 and 1.11), at others he revels in sexual availability of women and is not satisfied with one girl (2.22). For versions of the marital ideal see also 4.11, 4.3, 3.12 and 3.13.

rather he loathes it.³² Yet later the seaside resort of Baiae, notorious as a place of corruption and loose morals, is described, in a verbal echo of these opening lines, as ‘the enemy of chaste girls’ (*litora quae fuerant castis inimica puellis*, 1.11.29). Far from being the lover’s ally, however, Baiae is now loathed as a source of moral corruption, cursed for encouraging illicit affairs: ‘Oh! May the waters of Baiae, crime of love, perish!’ (*a pereant Baiae, crimen amoris, aquae!*).³³

The pair of poems at 3.12 and 3.13 also highlight the crisis and contradiction in contemporary *pudicitia*; the idealised image of the *pudica* Roman ‘Penelope’ (or ‘better-than-Penelope’) Galla in 3.12, is followed (and undermined) by a poem about the contemporary weapons of luxury, in the shape of jewels and gifts, that destroy even *pudicae* women. But it is worse: not only is contemporary society corrupt and corrupting, but there is not even any hope of salvation from the traditional resource of *exempla*. Even in primitive Rome, which we expect to be held up as a moral exemplar, a society without luxury is not a society without sexual shenanigans – it is merely that the gifts by which the girls could be bought were less expensive; reverence for the past is neatly mocked.³⁴

Propertius corrupts the meaning of the word *pudicitia*, when he describes it as a form of beauty designed to attract its own destroyer, so that the victims of divine rape become role models for the elegiac *puella*.³⁵ Other moral terms undergo similar semantic mangling in the context of sexual ethics. When the poet praises a girlfriend: ‘you alone are born the glory of Roman girls’ (*gloria Romanis una es nata puellis*, 2.3.29), it is only to reveal in the completion of the elegiac couplet that ‘glory’ in this context means sexual submission to someone other than a husband, albeit to Jupiter himself: ‘you will be the first Roman girl to sleep with Jupiter’ (*Romana accumbes prima puella Iovis*, 2.3.30). Nor, in poem 2.5, do Cynthia’s ‘harsh morals’ (*duri mores*, 2.5.7) embody the stern rectitude of days gone by.³⁶ We have already seen how important an element is *fama* (reputation) in the maintenance of *pudicitia*, both for men and for women.³⁷ Under the gaze

³² See Baker 1990: 64–5 and Miller 2002 ad loc. on the dispute over the line and its interpretation; it might be that Propertius professes to hate chaste girls because he has been taught to enjoy the sort of girls who are prepared to have sex with him, or on the contrary, that he hates it when girls like Cynthia whom he desires play hard to get; such ambiguity is in itself suggestive.

³³ Prop. 1.11.30. On Baiae as a site of decadence see e.g. Ov. *A. A.* 1.255; Mart. 1.62.

³⁴ Prop. 3.13.33–4. ³⁵ See above Chapter 1, p. 74.

³⁶ *Durus* describes the strict father of comedy (e.g. Ter. *Heaut.* 439), and also carries connotations of Stoic austerity and the uncultured rusticity of the *maiores*, the paradigms of moral excellence. When used of the elegiac *puella*, however, it often refers to her harshness in disregarding the poet’s feelings by refusing to have sex with him or by having sex with other men.

³⁷ See especially Chapters 1 and 2 above.

of the community, reputation must be preserved as spotless and untouched as the body itself. Curious eyes, doubt, speculation, rumour and gossip are its downfall. Propertius laments that Cynthia has no concern for her *fama* – in poem 2.5 she is the talk of Rome, but she doesn't care³⁸ despite the fact that Propertius' poetry should have the power to make her blench. Yet *fama* is also the glorious renown for which a poet traditionally longs, and in poem 2.6 it is the very literary tradition, exemplified by Homer's *Iliad*, that Propertius' poems and subjects might crave to become part of. The poet offers his lovers *fama* through his works, yet also threatens them with the *fama* of his poetry as an instrument of malicious rumour; it is impossible to know what one should aspire to. Moreover, claims do not always have the significance they might in another setting; no meaning or moral stance is secure – the sands are continually shifting underfoot. When Propertius declares that he does not want to participate in illicit love, 'I don't want *pudica* thefts from a bed' (*nolim furta pudica tori*, 2.23.22), he does not mean what an upright citizen from another kind of Rome might mean; it is not out of respect for the sanctity of the marriage bed that he refrains. Rather he means that he is sick of the inconvenience of having to worry about the possessiveness of other men, and prefers a woman who is freely available to all (2.23.17–20).

Having repeatedly declared and then compromised his own hatred of *pudicitia*, Propertius draws the threads of sexual ethics into a more tangled knot towards the end of the collection. In poem 4.5 he puts animosity towards *pudicitia* into the mouth of the *lena* (procuress) who instructs the *puella* in her care, if she wishes best to exploit her suitors financially, to 'smash the bonds of damaging *pudicitia*' (*frange et damnosae iura pudicitiae*, 4.5.28). To the *lena*, *pudicitia* is damaging (*damnosa*); in traditional morality it is protection against damage. Her moral assessment is topsy-turvy, for her implicit motivation is the vice of avarice, to the gratification of which conventional morality is only an impediment. The *lena* is a stock literary figure of elegy and other genres, generally, as here, an object of vilification by the author, who heaps curses upon her head (cf. 2.5.1–4).³⁹ She is a powerful agent of corruption, one who, according to this poem, might even have changed the course of literary history, redirecting the course of narratives from Homeric epic and Greek tragedy, by bringing her malign influence to bear on those age-old emblems of sexual abstinence, Hippolytus and Penelope:

³⁸ Cf. also 1.16 discussed below, p. 201.

³⁹ Cf. e.g. Tib. 1.5, 2.6; Ov. *Am.* 1.8. On the figure of the *lena* see further Myers 1996 and Gross 1996.

docta vel Hippolytum veneri mollire negantem,
 concordique toro pessima semper avis,
 Penelopen quoque neglecto rumore mariti
 nubere lascivo cogeret Antinoo.

Qualified to soften up a Hippolytus who renounces sex
 And always the worst omen for a happy bed
 She could have persuaded even Penelope to forget rumours of her husband
 And marry lascivious Antinous (Prop. 2.5.5–8).

However, it is not conventional moral indignation that drives this attack; she is reviled not so much because of the damage she wreaks on innocents, but because, with her as guide, the girls learn to play the poet-lover for everything they can get. For example, the *lena* counsels her ward to pretend that she must abstain from sex for reasons of ritual sanctity, in order to sharpen her lover's ardour; poem 2.33A depicts Propertius suffering from just such deprivation – perhaps we are to interpret him as a victim of Cynthia's ruse. Yet the *lena* is mouthing the same words as the poet – hatred for *pudicitia* – and she has something of the poet's own powers, for example in the hypothetical rewriting of Homeric epic and Greek tragedy.⁴⁰ We might also read 2.33A (within the context of the elegiac world) as a pose, a piece of bravado to persuade Cynthia that her ill treatment of him is having no effect. Since the poetry itself is represented as the lover's amorous tool, many poems are presented as instances of romantic manoeuvring, cunning rhetoric employed by *lena*, *puella* and poet alike. We are invited to admire the agility with which the poet negotiates the terrain of its own slippery brand of sexual ethics. It is not only myth and poetic tradition that are malleable and can be deployed to different ends and cast in different lights according to the poet's whim, as a mark of the innovative allusive skill of a talented poet in the Callimachean tradition; Propertius displays the same virtuosity in his treatment of conventional moral concepts.

The portrayal of the elegiac Roman 'present' and its relation to the various pasts available (such as traditions of early Roman history, the world of Homeric epic, Greek myth) bears further analysis, especially in the light of the reverence towards the past found in conventional Roman morality, and the *exempla* tradition.⁴¹ We saw in poem 2.6 (Chapter 1 above) how various different chronologies and traditional strands were woven together to depict the evolution of the sexual morals of Roman *puellae*, in a complaint

⁴⁰ As Philip Hardie puts it, she is 'the demonised double of the elegiac poet' (Hardie 2002a: 2). The theme of the poet as pimp and procuress as well as lover is developed in Ovid's *Ars amatoria*, passim.

⁴¹ On myth in elegy see Verstraete 1980; e.g. 'there is almost always a dynamic interaction between myth and the present' (259). On reverence towards the past see Chapters 2 and 3 above.

levelled specifically against the behaviour of 'his' girl. In poems 1.15 and 1.16 Cynthia represents present-day degeneration from both a Greek mythical and a Roman historical past. The first contrasts her with the Greek heroines of old, from whom she fails to learn, ending with Evadne:

... coniugis Evadne miseros elata per ignos
occidit, Argivae fama pudicitiae.
quarum nulla tuos potuit convertere mores
tu quoque uti fieres nobilis historia.

... Evadne died borne upon the wretched flames of her husband,
The fame of Argive *pudicitia*.
None of whom could change your morals
So that you too might become a noble story (Prop. 1.15.21–4).

These 'precedents', the virtuous wives of Greek myth, should be an inspiration to Cynthia and should mould the way that she behaves and make her too a paragon of *pudicitia*, worthy of poetic treatment that will guarantee her posterity. But Cynthia fails to make the connection, as poem 2.9 later confirms; unfaithful to the poet with another man, she is again contrasted with paragons of Homeric tales, presented as historical:

tunc igitur veris gaudebat Graecia nuptis,
tunc etiam felix inter et arma pudor.
at tu non una potuisti nocte vacare.

In those days, then, Greece rejoiced in her true wives,
In those days *pudor* was content even amid the battle.
But you were not able to last even one night alone (Prop. 2.9.17–18).

The contrast between the *puellae* of now and then is emphasised in the Latin by the sound of the words: *tu* (you) echoing *tunc* (in those days). In poem 1.16, Cynthia's behaviour is also contrasted to the *pudicitia* of ancient Rome, embodied by the antique doorway of her house, once renowned for its Tarpeian *pudicitia* (*ianua Tarpeiae nota pudicitiae*, 1–2), now subjected to the obscene songs and laments of Cynthia's excluded lovers (*nobis obscenis tradita carminibus*, 10).⁴²

Later in the collection, however, Greek myth will exonerate Cynthia from such charges by providing prestigious precedent for her behaviour.

⁴² The reference to Tarpeia in the opening verse is obscure and has puzzled commentators. Shackleton Bailey 1956 best summarises, with bibliographical references, various possible positions: it might refer (a) to the Tarpeia of Roman legend who is the subject of a later poem (2.4), although this Tarpeia is explicitly unchaste and a dangerous character who allows the Sabines into Rome; (b) to another, unknown woman called Tarpeia; (c) to the Capitoline hill itself as a symbol of virtuous antiquity.

Poem 2.32 gives a fatalistic account of the sexual mores of Propertius' own day that problematises any attempt to use the past as a source of moral inspiration and virtuous precedent of *pudicitia*. Propertius suggests that in fact things have always been this way, even as the past is (and always has been) held up as a time of moral rectitude; he naughtily muddies the exemplary waters needed for moral education. Starting in the present with an image of the relationship between Cynthia and Propertius, the poem opens out into the urban setting where Cynthia's comings and goings are the subject of gossip and speculation which damage her reputation, and then into a study of contemporary society more generally, with a historical perspective. Cynthia has been spending time away from Rome and Propertius is suspicious that this is a ruse to evade his gaze and facilitate a secret love affair, especially since rumours of such have recently come to his attention. The next passage invokes the examples of Helen and the goddess Venus as examples of women who have been very publicly unfaithful to their husbands and have got away with it:

sin autem longo nox una aut altera lusu
 consumpta est, non me crimina parva movent.
 Tyndaris externo patriam mutavit amore
 et sine decreto viva reducta domum est.
 ipsa Venus fertur corrupta libidine Martis;
 nec minus in caelo semper honesta fuit.

However if one night or so was spent in lengthy
 Fooling around, such minor accusations don't upset me.
 After all, Helen exchanged her fatherland for the love of a stranger,
 And she was returned home alive without condemnation.
 Venus herself was corrupted and carried away by the lust of Mars:
 She was never any the less well-regarded in heaven (Prop. 2.32.29–34).

The poem ends with a passage that opens as a lament about the *mores* of his day, where it is hard to find even one woman who resists the fashion and is not unfaithful, but then segues into an allusive justification of such behaviour, and ends with a ringing endorsement of girls who carry on the tradition of sex outside tradition:

o nimium nostro felicem tempore Romam,
 si contra mores una puella facit!
 haec eadem ante illam iam impune et Lesbia fecit:
 quae sequitur, certe est invidiosa minus.
 qui quaerit Tatios veteres duosque Sabinos,
 hic posuit nostra nuper in urbe pedem.

tu prius et fluctus poteris siccare marinos,
 altaque mortali deligere astra manu,
 quam facere, ut nostrae nolint peccare puellae:
 hic mos Saturno regna tenente fuit;
 at cum Deucalionis aquae fluxere per orbem,
 et post antiquas Deucalionis aquas,
 dic mihi, quis potuit lectum servare pudicum,
 quae dea cum solo vivere sola deo?
 uxorem quondam magni Minois, ut aiunt,
 corruptit torvi candida forma bovis;
 nec minus aerato Danae circumdata muro
 non potuit magno casta negare Iovi.
 quod si tu Graias es tuque imitata Latinas,
 semper vive meo libera iudicio!

Oh Rome, too fortunate in our own time
 If there is one girl who acts against *mores*!⁴³
 Lesbia too did these same things before her and went unpunished:
 A girl who is imitating is surely less blameworthy.
 Whoever is hoping to find the ancient Tatians and the harsh Sabines,
 Has set foot only recently in our city.
 You could dry up the waters of the sea
 And draw down the high stars with human hand,
 Before you could make our girls not want to sin.
 That was the custom (*mos*) when Saturn ruled his kingdoms,
 But as soon as the waters of Deucalion flooded the earth
 And after the ancient waters of Deucalion,
 Tell me, who has been able to keep their bed *pudicum*,
 What goddess has been able to live alone with only one god?
 Once upon a time, they say, the wife of mighty Minos
 Was corrupted by the white beauty of a wild bull;
 Nor could the chaste (*casta*) Danae, protected by a bronze wall,
 Keep away the great Jupiter.
 So if you have imitated the Greek and Latin girls,
 Live forever and free, by my judgement! (Prop. 2.32.43–62).

According to this passage, all literary and historical roads lead to this version of contemporary Rome . . . Lesbia, standing both for recent Roman history and for the poetry of Catullus, has set a precedent for bad behaviour that offers an excuse for modern girls; Tatius and the Sabines, standing for impeccable Roman antiquity, no longer dwell in the city, and old *exempla* have lost their power; girls whose desire was not to sin went out with the

⁴³ Cf. the notes on his translation by Lee 1994: ‘unfashionably, or perhaps “immorally”’ (159); the translator’s dilemma illustrates the complexity of the term *mores*.

flood – immorality has a long history; Greek myth too sets a bad example for contemporaries.

Yet Propertius' whole collection subsequently ends with a poem (4.11) which speaks in the voice of an *univira* from beyond the grave – proclaiming her own moral spotlessness as the ideal *matrona* and her commitment to her husband, and exhorting her daughter to follow in her footsteps.⁴⁴ What are we to make of this apparently straight, traditional morality?⁴⁵ Perhaps Propertius is sealing off the collection by reasserting the disrupted boundaries of the elegiac genre.⁴⁶ This poem, however, although it apparently espouses traditional values, does not mention the word *pudicitia* or its cognates at all, as if the word must be least spoken of where it most hopes to hold fast.

Love elegy evokes a delicious and agonising world of sexual moral confusion, self-consciously rooted in and often contrasting with earlier literary traditions. The poetry concerns itself primarily with the moral stance and behaviour of the *puellae*, but the poet's attitudes towards these morals continually change under the influence of changes in the status of his relationship with women. The sexual ethics are expressly invoked, deployed and discarded in the interests of the male poet-lover, and are manipulated to serve his erotic interests. The whole edifice is constructed within the constraints of literary conventions developed in other cultures. Yet, as we have seen, there is a deliberate and perhaps satirical interaction with conventional ethics and with modes of ethical instruction, and there is genuine poignancy in the depiction of moral ambiguity.

ROMAN NEW COMEDY AND PLAUTUS' *AMPHITRYO*

Roman new comedy, in the form of the extant plays of Plautus and Terence, provides us with some of our earliest surviving Latin sources, from the late third to second centuries BCE.⁴⁷ These are enticing because they seem to offer access to a popular mode of discourse taking us beyond an elite urban context. The plays were performed at festivals (the *ludi scaenici* or theatrical games) probably within a competitive framework. Terence's prologues in particular give a sense of the crowds who would come to watch such

⁴⁴ See Janan 2001 on Book 4 as a whole, with Chapter 9 (146–63) an insightful discussion of 4.11.

⁴⁵ Janan 2001: 147 offers a whole range of interpretations by different scholars.

⁴⁶ Janan suggests that the poem dramatises the extent to which the law and traditional morality fail women (Janan 2001: 146–63), and that Propertius' Cornelia is 'embittered by the little she has to show for her virtuous life' (24).

⁴⁷ Plautus c.254–184 BCE, Terence c.186–159.

performances – rowdy, and liable to be distracted by alternative attractions such as tightrope walkers. Thus comedy speaks in a different voice from most of our texts, although it is a voice that converses freely with other Roman voices, through allusion to and interplay with other genres such as Greek tragedy; moreover, the plays formed part of a literary canon that continued to be read long after they were first performed, and went on to influence much of Roman literature such as elegy, declamation, and Ciceronian oratory.

The rights and wrongs of sexual behaviour are a prominent theme of new comedy (as the criticisms of the genre cited at the start of this chapter suggest). Moral dilemmas are often dramatised through encounters between older and younger generations: a young man, led astray and into profligacy by his passion for an inappropriate woman, clashes with a paternal figure and receives his advice and admonition. In contrast to elegy, one of the foundational premises of many plots is the stark distinction between two different kinds of female: the well-brought up freeborn virgin who is marriageable, and the non-citizen prostitute who is not – although traditionally the latter is the object of a young man's passion. Often a plot is premised on the difficulty that arises when the object of a young man's romantic and marital interest appears to belong to the latter category, and is resolved when she is revealed in fact to belong to the former. Another stock plotline is the anonymous rape of a respectable young girl by the hero, which has taken place before the play begins, during a festival (perhaps much like the one at which the play is being performed); the girl appears to be unchaste and to have been impregnated by another man, and the issue is resolved only when the two are identified and are found to be, or to be able to become, husband and wife.⁴⁸

Much of comedy's dramatic tension, then, comes from misunderstandings about a woman's status, and her corresponding possession of *pudicitia*. Either she is thought to be a slave and a prostitute, but turns out to be chaste, *pudica* and freeborn, or she is thought to be contaminated by *stuprum*, but turns out to have had sex only with her husband-to-be. The tension is resolved and the comedy ends only when her status is clarified, the boundaries of propriety are redrawn, and legitimate marriage is able to go ahead. On the boundaries of propriety, an illuminating passage is found in Plautus' *Curculio*, where the slave Palinurus gives his enamoured young master

⁴⁸ For a detailed and systematic analysis of all such comic plots see Rosivach 1998, and for sophisticated discussion of classical plotting, Lowe 2000. On Roman comedy more generally see Segal 1987 and Beacham 1991.

Phaedromus a little lecture on how one's romantic and sexual urges can be acceptably channelled within the constraints of Roman sexual ethics:

PA. . . . nemo hinc prohibet nec vetat
 quin quod palam est venale, si argentum est, emas.
 nemo ire quemquam publica prohibet via;
 dum ne per fundum saeptum facias semitam,
 dum te apstineas nupta, vidua, virgine,
 iuventute et pueris liberis, ama quidlubet.

PA. . . . No one prohibits or forbids
 You from buying as long as it is openly for sale, if there's money involved.
 No one is prohibited from travelling the public road;
 As long as you don't make a path through fenced-off farmland,
 As long as you abstain from bride and widow and virgin,
 From freeborn youth and boys, love whom you wish (*Curc.* 33–8).

Palinurus describes legitimate love affairs as being those with prostitutes for which one pays. Prohibited are all the categories that we would expect: freeborn women married, widowed and unmarried, freeborn youths and boys.⁴⁹ Part of the joke here, however, is that this moralising lecture about the proper treatment of the free body is put into the mouth of a slave.⁵⁰ Moreover, rather than lusting after a free woman when his energies would be better channelled towards prostitutes (as the slave assumes), Phaedromus is actually in love with a courtesan whom he treats *as if she were free* – hoping to make her his wife and insisting that she is in possession of *pudicitia* and is still sexually untouched – thereby posing a challenge to traditional Roman values and causing his slave great consternation.⁵¹

PH. . . . odiosus es.
 eam volt meretricem facere. ea me deperit,
 ego autem cum illa facere nolo mutuom.

PA. quid ita?

PH. quia proprium facio: amo pariter simul.

PA. malu' clandestinus est amor, damnumst merum.

PH. est hercle ita ut tu dicis.

⁴⁹ This is underpinned by similar assumptions as are the story in Val. Max. 8.1.absol.12 (see Chapter 3 p. 138 above) and also Hor. *Sat.* 1.2. Cf. Introduction p. 20 above.

⁵⁰ Craig Williams makes the convincing suggestion that this brief 'enunciation of Roman morality' is probably Plautus' own invention – a Roman joke that is not a direct translation from the Greek original (Williams 1999: 307 n. 22 and 277 n. 127). Cf., for instance, the moralising of the slave Stasimus (*Trin.* 1028–44), and the responses of his interlocutor Charmides, or Grumio's ironic accusation of Tranio of corrupting his master's son with his example and teaching in *Most.* 15–33.

⁵¹ The girl too will claim that she is *pudica*, and has been brought up (in a standard phrase of comedy) *bene ac pudice* ('well and chastely', 698, cf. 670), despite the fact that we know that she has been brought up by a brothel owner and trained as a prostitute.

PA. iamne ea fert iugum?

PH. tam a me pudica est quasi soror mea sit, nisi
si est osculando quippiam inpudicior.

PA. semper tu scito, flamma fumo est proxima;
fumo conburi nil potest, flamma potest.
qui e nuce nuculeum esse volt, frangit nucem:
qui volt cubare, pandit saltum saviis.

PH. at illa est pudica neque dum cubitat cum viris.

PH. . . . you are hateful.

(He wants to make her a courtesan.) She is dying for me,
But I don't want to have her on loan.

PA. How so?

PH. Because I want her for myself: I love her equally in return.

PA. Clandestine love is a bad thing. It's pure ruin.

PH. By god, you're absolutely right.

PA. Has she already been broken in?

PH. She's as untouched [*pudica*] by me as if she were my sister, unless
She somehow is more *inpudica* through kissing.

PA. You should know that the flame always follows smoke;

Smoke can't burn anything, but flame can.

Whoever wants to get the kernel out of the nut, breaks the nut:

Whoever wants to get someone into bed, opens up the woodland with
smooching.

PH. But she is *pudica*, and has never slept with men (*Curc.* 45–57).⁵²

Palinurus' sceptical response to Phaedromus' claims about his beloved's *pudicitia* emphasises the fragility of *pudicitia* in the face of amorous urges. The implication here is that kissing is not enough to destroy the girl's *pudicitia*, but it is the top of a slippery slope towards the activity that will do so – full sexual intercourse. Here the joke is that on first sight the young man appears to be indulging in an acceptable form of love affair because he is visiting a pimp's house, but the situation turns out to be potentially disastrous since rather than just wanting to have paid sex with her, he actually has serious designs upon the girl. In other words, directing what is, on the face of it, honourable and decent behaviour towards the wrong kind of girl renders it, in fact, absolutely the wrong kind of behaviour.

A scene from the *Cistellaria* makes the parallel suggestion that the distinction between *meretrix* and *matrona* is so polarised that the acceptable behaviour for the former is the inversion of that of the latter. Selenium is another girl of uncertain status who has been trained as a courtesan, but

⁵² *Salvus*, meaning 'woodland', is an allusion to female genitals (Adams 1982: 84). Kissing by itself may be chaste, but one thing leads to another.

wishes to become a wife.⁵³ Her *lena* is worried about Selenium's unworldly approach to men and tries to persuade her that, unlike a *matrona* for whom it is of benefit to stay with a single husband, she must spread her bets and not rely on the good faith of one man:

LENA *matronae magi' conducibilest istuc, mea Selenium,
unum amare et cum eo aetatem exigere quoi nuptast semel.
verum enim meretrix fortunati est oppidi simillima:
non potest suam rem optinere sola sine multis viris.*

LENA This sort of behaviour is much more advantageous for a *matrona*, my Selenium,
To love one man and to spend one's whole life with the man whom one has married.
A courtesan, on the other hand, is like a successful city;
She cannot get what she wants on her own without the help of many men
(*Cist.* 78–81).

However, in a manner most unfitting for a courtesan, Selenium is insistent that she wants to devote herself to one man alone:

SE. *nisi quidem cum Alcesimarcho nemine,
nec pudicitiam imminuit meam mihi alius quisquam.*

SE. I won't do it with anyone except Alcesimarchus,
And neither shall anyone else violate my *pudicitia* (*Cist.* 85–6).⁵⁴

Her reference (qua courtesan) to her own *pudicitia* is as 'apparently' (i.e. to the *lena*) nonsensical as her refusal to pursue the most financially beneficial course of action.⁵⁵ However, this bizarre confusion of values would have posed no mystery for the Roman audience well-versed in comic plots: Selenium will subsequently be revealed as a freeborn, well-brought up (*bene ac pudice*)⁵⁶ and thus marriageable virgin, and her attitudes will retrospectively be justified as entirely appropriate.⁵⁷ The boundaries between different

⁵³ Whether as a genuine wife or as a courtesan committed to only one man is perhaps unclear: see Adams 1982: 160 for the word *nubere* used of a courtesan, with reference to Plaut. *Cist.* 43; cf. *Cas.* 84–6.

⁵⁴ In *Mostellaria* the *lena* Scapha tries likewise to persuade the young girl in her charge, Philematium, that it is foolish to depend only upon one man. Philematium responds like a free woman, keen to protect her reputation (*fama*): 'among mortals, reputation usually brings in money/but I will count myself wealthy enough if I am able to maintain a good reputation' (227–8).

⁵⁵ See *Epidicus*, where a slave girl bought from a merchant is described as having *pudicitia*, but this may be a delusion (109–10; cf. 404 and 539).

⁵⁶ For the stock phrase *bene ac pudice* to describe the virtuous upbringing of a young girl, Plaut. *Amph.* 348, *Capt.* 993, *Cist.* 173, *Curc.* 518 and 698b, Ter. *Andr.* 274, *Heaut.* 226. Cf. n. 51 above.

⁵⁷ In a delayed prologue spoken by the personified Help (149–202) we will now discover that despite having been brought up as a slave destined to work in the brothel, Selenium is in fact the legitimate

socio-sexual statuses and between different kinds of moral expectation are once again firmly delineated by the end of the play.

In the world portrayed by comedy, young freeborn virgins are at risk from being prostituted in brothels or from the intemperate lusts of young men whom they encounter on a dark night. Fathers and would-be husbands must strive to protect them from the persuasive influence of the *lena*, whose brief, as in elegy, is to teach girls to play male lust for financial gain,⁵⁸ or from the dangers of being left alone with amorous youths (since innocent kisses lead to other things).⁵⁹ Comic plots stage such dilemmas as what sort of relationship a young man should have with prostitutes, how a man can tell if his wife or daughter or beloved is *pudica*, and what the limits are of love, fidelity or *pudicitia*.⁶⁰ In what ways do such themes engage the concerns of contemporary Roman society? Like love elegy, the genre has a close relation with the Greek literary tradition; the plays are free 'translations' and adaptations from Greek originals such as the plays of Menander. They are peopled by stock characters, usually with Greek names, and often unfold in named Greek cities. Nevertheless, they provide more than a literal translation of the Greek – the texts are imbued with Roman colour and alive with Roman concerns. The Latin term for such plays – *palliatae* (meaning dressed in a Greek cloak or *pallium*) – sums up the distinctive fusion of Greek and Roman that the genre represents: this is self-consciously Roman theatre self-consciously dressed up 'Greek-style'. A play such as Plautus' *Trinummus*, for example, invokes traditional structures of Roman ethics, even though the city in question is nominally Athens and all the characters are Greek. However, it is no easy matter to determine how the plays might have related to contemporary morals, especially with the dearth of other sources from the period, or even to interpret what the moral stance of the plays might be; Wiles, for instance, claims there is a

daughter of a free man and a free woman, and thus free herself. She was the product of a drunken rape, but legitimised when many years later her biological father returned and unwittingly married the woman whom he had originally raped.

⁵⁸ See e.g. Plaut. *Epid.* 400 where the father warns: 'a procuress can corrupt a virgin's morals even from a distance'.

⁵⁹ As above. See also Ter. *Andr.* 287–8: youth and beauty are useless to protect *pudicitia*; *Andr.* 216: is she an *uxor* or an *amica*?

⁶⁰ As well as the passages discussed elsewhere in this chapter, *pudicitia* and its cognates are used in the following places in Roman comedy, usually to mark a distinction between girls who are marriageable and those who are courtesans, but occasionally to describe a male, or to describe dutiful or loyal behaviour: Plaut. *Asin.* 474, 475, *Aul.* 285, *Capt.* 991, *Cas.* 81, *Curc.* 25–6, 50–7, 518, 698–9, *Merc.* 714, *Mil.* 282, 509, *Most.* 206, *Persa* 193 (of a man), *Poen.* 1221, *Pseud.* 359, *Rud.* 115, 393, 1062, *Stich.* 100, *Trin.* 697, 946, *Vid.* 40, Ter. *Andr.* 74, 273, 288, *Heaut.* 226, *Hec.* 152.

particular Roman focus on issues concerned with prostitution that is not present in the Greek originals, while Brown argues the opposite case.⁶¹

Comedy's didactic stance is self-confessedly ambiguous and challenging. On the one hand the genre claims to aspire to the moral edification of the audience (through a simplistic moral framework and stereotypical characters whose vicissitudes bluntly convey moral values). Yet at the same time comedy has a cynical edge that deflates its own moralising. In Plautus' *Rudens* a self-righteous speech about the dangers of avarice and temerity by one of the characters, Daemones, is interrupted by a back-talking slave:

spectavi ego pridem comicos ad istunc modum
sapienter dicta dicere atque eis plaudier,
cum illos sapientis mores monstrabant populo
sed cum inde suam quisque ibant divorsi domum
nullus erat illo pacto ut illi iusserant.

I have seen comic actors like this before
Speaking wise words and being applauded
When they were demonstrating wise morals to the people.
But when everyone was leaving to go back to his own home
There was not one who behaved as he had been commanded (*Rud.* 1249–53).

Not only are the pretensions of Daemones punctured by this scepticism, but, in one of many moments of self-referentiality, so too are any ethical pretensions of the play itself and of comedy in general.⁶²

As for *pudicitia*, the only play that explicitly claims to teach about this virtue, the *Captivi*,⁶³ has no sexual themes in it at all. The address to the audience in the epilogue of the play claims that it was designed for the moral benefit of the audience, and manifested the quality of *pudicitia*:

spectatores, ad pudicos mores facta haec fabula est,
neque in hac subigitationes sunt neque ulla amatio
nec pueri suppositio nec argenti circumductio,
neque ubi amans adulescens scortum liberet clam suum patrem.
huius modi paucas poetae reperiunt comoedias,
ubi boni meliores fiant. nunc vos, si vobis placet
et si placuimus neque odio fuimus, signum hoc mittite:
qui pudicitiae esse vultis praemium, plausum date.

⁶¹ See Wiles 1989, Brown 1990 and cf. Moore 1998 for a discussion on whether the *Casina* promotes sympathy with wife or husband, Barsby 1999 and Pearson Smith 1994 on rape.

⁶² However, the undercutting, we may note, is in the mouth of a slave and hence perhaps takes its comic charge from an inversion of the social order in which virtue is the privilege of the free. Cf. Slater 1990 on self-referentiality in Plautus.

⁶³ Although the *Amphitryo* is very much concerned with the virtue, as I shall discuss below.

Spectators, this play was created for the benefit of *pudicos* morals,
 And there is no illicit sex or love intrigue in it,
 No substitution of children or financial fraud,
 Nor scenes where a young man in love liberates a tart unbeknownst to his
 father.

The poets devise few comedies of this kind,
 Where good people get better. Now you, if you liked it
 And if you liked us and we weren't awful, give us the sign:
 Whoever wants there to be reward for *pudicitia*, give us your applause (*Capt.*
 1029–36).

The list of elements that this play does *not* contain runs like a summary of common comic plotlines. What kind of a joke is it to suggest that this play embodies *pudicitia*, when there isn't a mention of it in the plot itself and none of the challenges to sexual integrity that are usually associated with the quality? It certainly gestures to the idea (startlingly demonstrated in Valerius Maximus' work) that *pudicitia* is only visible against the background of sexual immorality and transgressive desire; when it figures merely as absence, there is nothing to see.⁶⁴

Plautus' *Amphitryo*

An extant comedy that substantially works through the concept of *pudicitia*, and puts firm pressure on the ideal of marital scrutiny, is Plautus' *Amphitryo*.⁶⁵ The play is unusual in that its plot is taken from Greek mythology rather than being a conventional comic plot, and the story has a heroic setting. It is peopled nonetheless with the character types, language and upsets particular to new comedy. The story encompasses the events surrounding the conception and birth of Hercules, the result of the god Jupiter's nights of passion with the mortal Alcmene, wife of Amphitryo.⁶⁶ Mercury's prologue raises generic issues from the first; he claims that the play is a tragedy, but that he is ready to transform it for the audience's benefit into more of a tragicomedy, without changing a line (50–63). The play is, of course, in its formal aspects a comedy, and the tone throughout is light-hearted, yet it cruelly takes its central characters of husband and wife to the brink

⁶⁴ Freedom and slavery are central themes of the play, and as we have seen, especially in Chapter 2 above, these relate closely to *pudicitia* too, providing a tenuous thematic link between the quality and the plot.

⁶⁵ Cf. *Casina* which focuses on the behaviour of an elderly elite husband, Lysidamas, within marriage, as he comes into conflict with his wife over his lust for a young girl; for discussion see Moore 1998.

⁶⁶ It is also a very Roman tale, since Hercules is a highly Romanised hero, and thus represents, despite the humiliation of Amphitryo in the play, a glorification of his family through divine connections.

of disaster. In the penultimate scene, his marriage apparently over and his house destroyed, Amphitryo stands as an Oedipal figure alone upon the stage crying ‘is there in Thebes a man more wretched than I . . . ?’⁶⁷ (answer: yes, be thankful you’re not in a real tragedy), before the divine thunderbolt of Jupiter reverses their fortunes and the order proper to comedy is restored. It takes Amphitryo a (comic) moment or two to shake off the tragic mantle, but then all is resolved in time for the audience’s applause.⁶⁸

Like many comedies, the play is powered by misunderstandings and misrecognition. It begins with Amphitryo away at war and the pregnant Alcmene in bed with the god Jupiter, who is disguised as Amphitryo himself. In the prologue Mercury informs us that Jupiter has had sex with Alcmene and has impregnated her with his own seed so that she is now pregnant twice over. The plot unfolds as the real Amphitryo returns triumphant from the battlefield expecting a hero’s welcome, only to find his wife puzzled at his appearance and claiming that he has only just left her. It becomes clear to Amphitryo that his wife has been entertaining someone else in his absence. She is sure that it was her husband with whom she slept last night; he is sure it wasn’t.

The divine machinery of the plot enables each spouse to have a radically different view of the situation.⁶⁹ As far as Alcmene is concerned, her husband returns at last from war, spends one delicious night with her, and then leaves again at dawn. He is back almost immediately, but inexplicably claims that he has not been there at all, and proceeds quite unfairly to accuse her of lies, adultery and loss of *pudicitia*. Meanwhile Amphitryo returns to find his wife behaving unusually, and gradually becomes aware that she has spent the night with someone else. The drama is heightened in the course of a troubled exchange of tragicomic cross-purposes between the two, monitored by a fascinated Sosia, where Amphitryo laments that while he was away his wife’s *pudicitia* was besmirched ‘Woe is me! For a stain has been added to her *pudicitia* while I was away’ (810–11), while Alcmene claims boldly that he couldn’t catch her out in *impudicitia* if he tried: ‘if you are after me for *impudicitia* you won’t get me’ (821). While Amphitryo muses what sort of punishment he should mete out (853), Alcmene is outraged and distraught to have been accused of *stuprum* and disgrace by her own husband (882–3). The audience of course knows all, including how the mistaken positions of husband and wife have arisen, since the god Mercury has explained the situation to them in the prologue. The misunderstanding is maintained until the marriage is crumbling and Alcmene is

⁶⁷ *Amph.* 1046. Compare the reference to the summoning of the aged Teiresias at 1128–9.

⁶⁸ Although the play is incomplete, with a lacuna towards the end; see Christenson 2000.

⁶⁹ For a study of the strategies and effects of classical plots see Lowe 2000; see n. 48 above.

on the point of leaving her husband's home in despair. Then Jupiter will, at the last minute, resolve everything by persuading Alcmena to stay (still in the guise of Amphitryo), overseeing the birth of the two children, and finally revealing the truth to Amphitryo himself.

Predating Livy's history of Rome by almost 200 years, the play nevertheless shares with it some of the narrative elements and sexual values that were explored in Chapter 2 above, suggesting that these were a feature of an earlier period of the Republic too. As in Livy's account of the fate of Lucretia, *pudicitia* is portrayed as a crucial attribute of a wife, which is particularly vulnerable to attack from another man when her husband is absent. Again two ways of attacking *pudicitia* are envisaged: a woman can be either seduced, corrupted and persuaded to have sex with another man (*per vitium*), or she can be forced against her will (*per vim*). Once the quality is damaged, the marriage is destroyed.⁷⁰

However, one of the key issues of this play is the challenge facing both husband and wife in a climate of suspicion where a husband must scrutinise his wife for signs of *pudicitia* or *impudicitia* and correctly read those signs. In this case, Amphitryo reads *impudicitia* in a series of details of Alcmena's behaviour. The audience can sympathise with his conclusion that she has knowingly been unfaithful to him, since there seems to be much circumstantial evidence to support it. However, as it turns out, the conclusion is wrong. The mistake has occurred because of an illusion which could only have been generated by Jupiter's divine powers. In this respect the story is one unlikely to be repeated in real life; we would not expect this play to teach men to wonder whether their apparently unfaithful wives had in fact been visited by the king of the gods. However, the anxieties the play explores are real enough: how can a Roman man tell whether his wife is faithful to him or not? How far can he trust her? How can he know what she is doing when he is absent? Such anxieties are central to the role that *pudicitia* must play in regulating the sexuality of married women, extending the control of sexuality far beyond the eye of the individual husband. Another set of anxieties, on the other hand, shifting to the subjectivity of the wife, centre on the complementary issue of how a Roman woman can convey her intangible virtue to her suspicious husband.

⁷⁰ Cf. Amphitryo's analysis of the situation at 808–13. Another topsy-turvy version in comedy that resonates with the story of Lucretia comes in Ter. *Andr.* 74–9: 'At first she lived her life *pudice* and sparingly and austere, earning her bread from spinning and weaving. But when a lover turned up offering payment, first one and then another, since it is in the nature of all humans to prefer lust to labour, she accepted the offer and subsequently became a professional.' Cf. the plot of the *Asinaria*. The easy-going cynicism of comedy implies that the route that Lucretia chooses to follow is a superhuman one.

The *Amphitryo* revels in duplicity, doubt and duplication. There are two Amphitryos (the real and the divine impostor) and two Sosias (Amphitryo's slave, also impersonated by the god Mercury); inevitably comic confusion of identity ensues. Even the mortal players themselves begin to doubt that they are who they think they are: Amphitryo says at one point 'I am so profoundly bewitched that I don't know who I am myself' (*delenitus sum praefecto ita, ut me qui sim nesciam*, 844). There is only one Alcmena throughout, yet even she, in the confusion, appears to be different kinds of characters at different points in the play, depending on whose perspective is favoured. Is she (a) a faithful and unjustly accused wife, (b) an attractive gratifier of the lusts of Jupiter, or (c) a shamelessly fickle and deceiving wife?

The audience sees the wider picture that enables them to make sense of these variant positions, yet they may themselves be unsure which version of Alcmena to prefer. Indeed, subsequent commentators on the text have interpreted the character of Alcmena very differently. Some see her as representing the ideal *matrona* of the Roman moral tradition (as she herself claims).⁷¹ Certainly, her speech in her own defence is impassioned and consistent with the traditional morality espoused by comedy (633–51), and Amphitryo himself claims that before the events of this plot, he has regarded her as a wife of *pudicos mores* (676–9, 711–12). The immortal Mercury asserts that no one would blame Alcmena for what has happened (492–3) and the slave girl Bromia describes her as a 'dutiful and *pudica* woman' (1086). However, other scholars have pointed to behaviour that appears to belie this image. It has been suggested, for instance, that Alcmena's excessive thirst for sexual gratification would have been inappropriate in a *matrona*. The night that Alcmena and Jupiter-Amphitryo have just spent in passion has been artificially extended by Jupiter in order to afford him maximum opportunity for pleasure, and this point is heavily emphasised: 'I don't think I've ever seen a longer night' says a puzzled Sosia at line 279 (cf. lines 113 and 546). Yet when Jupiter take his leave of her, Alcmena complains bitterly that she has not had enough of him and that the night is too short (512–14, 532); not only does she not appear to have noticed a night that was twice as long as usual, she even complains of its

⁷¹ For references see Christenson 2000: 40–3, Segal 1987: 180–4, Phillips 1985: 121. Alcmena describes herself as *pudica* at 838, and claims: 'As dowry I brought *pudicitia* and *pudor* and calm desires, fear of the gods and love of my parents, good relationships with my siblings, obedient to you so that I might be generous with your possessions for the benefit of good men' (839–42). As Sosia comments: 'By god, if she is speaking the truth she's the perfect wife' (813).

brevity.⁷² She is mollified, however, by the gift of a golden bowl (a war spoil of Amphitryo's that Jupiter has acquired). Indeed her mood changes like magic, suggesting something of the behaviour of the avaricious courtesan wheedling gifts out of her lover. In addition, since Alcmene's own soliloquy about her love for her husband is subsequent to receiving this very fine gift from him, a more cynical interpreter might suggest that it is consequent upon this. Christenson also questions whether her apparent irritation at Amphitryo's almost immediate 're'-appearance after she had bid him goodbye is the mark of a truly loving wife.⁷³ Sosia's dry comment at 813 (see note 71 above) suggests that such a wife as Alcmene claims to be would be an unusual phenomenon. The reality is that ultimately the conflicting evidence is such that an audience is unable to decide one way or another (unless they are as rash as Amphitryo) about Alcmene's true moral status. For who among us can look dispassionately at the signs when there is so much at stake?⁷⁴

The extraordinary plot also offers an interesting ethico-intellectual puzzle, devised precisely to put pressure on accepted categories of right and wrong, moral and immoral: if a woman has sex with someone whom she believes to be her husband, yet who is not her husband, has she been unfaithful to him, or, in Roman terms, is she *impudica*? Can a woman be blamed for being *unwittingly* unfaithful?⁷⁵ Alcmene's intentions and

⁷² Personally I am not entirely convinced by this suggestion, and think it may be informed by post-classical notions of female propriety (though see Christenson 2000: 40 for an alternative position). Alcmene's intense desire that the husband who has just returned to her should remain longer than one night is understandable in the circumstances, and I know of no evidence that sexual desire for her husband was considered inappropriate for a Roman *matrona*, although such matters are not much spoken of in our sources. For desiring wives cf. Ov. *Her.* and Prop. 4.3; though compare Lucr. 4.1263–77 where a wife is not expected to enjoy sex.

⁷³ Christenson 2000: 258–60.

⁷⁴ Bond's discussion of performances of the *Amphitryo* before a series of different audiences in Perth in 1991 describes a modern enactment of the play's interpretability; apparently a younger audience laughed at Alcmene's protestations of virtue, whereas an older audience listened admiringly. Bond argues that the play is written to be provocative and challenging, and that the blend of tragedy and comedy results in an 'alchemy' which 'produces a genuine tertium quid in terms of the theatrical effect on the audience', designed to make the audience uncomfortable (Bond 1999, esp. 203). See Christenson 2000: 5 for similarly diverse composition in the Roman audience.

⁷⁵ Similar moral conundrums are set up in modern works. For instance, in Robertson Davies' *The Lyre of Orpheus* (1988) Marie has sex with Geraint in the dark thinking that he is her husband Arthur, and the truth only emerges later after she becomes pregnant and Arthur reveals that he is sterile. Arthur discusses the moral implications of this cuckolding with his friend Darcourt (225–33) and calls it 'the old, old story . . . A mythical tale. Like a god descending on a mortal woman' (242–8). In Kevin Smith's film *Clerks* there is a different twist: Dante refers to Caitlin having cheated on him 'half' a time when she has drunken sex with him in a dark room at a party, but calls him 'Brad', thinking he is someone else. Here she has not ended up having sex with someone else, but the intention was there.

attitudes are all those of a completely faithful wife. She manifests not even a chink of the sort of weakness that might make her vulnerable to the advances of another man (to his bribery, his persuasiveness or to his bullying); in this respect her *pudicitia* is not impeached and perhaps it is unimpeachable. That his wife has been plundered by Jupiter and yet remains paradoxically untouched is symbolised by the mysteriously unbroken seal on Amphytrio's chest from which Jupiter has stolen his bowl. She is the ideal wife (as Sosia comments, albeit with some scepticism). Yet, in the supernatural circumstances of the plot, she has, despite all this, had sex with someone who was not her husband. If she has not betrayed him deliberately through immoral conduct and weakness, yet he has been betrayed, and her body has experienced the touch of another. Thus she is at the same time *pudica* (in her self and in her moral outlook) and *impudica* (in her body and deed). She cannot be morally condemned, and yet she cannot remain a wife. This is the unbearable paradox lying at the heart of the story of Lucretia as well (at least in Livy's dramatic version).

As discussed in Chapter 2, in Livy's account Lucretia is not morally to blame for what has happened, and therefore, far from wanting to punish her for her *stuprum*, her family members try hard to persuade her that she is innocent. They do this by evoking a separation between mind and body: it is the mind that does wrong (*peccare*), they tell her, and not the body. Her mind was free from capitulation to wrongdoing and therefore she is innocent. Of course, they must say this to her, since to blame or to punish her for what has happened would be entirely unmerited. However, the fact remains, which they do not address, that in her body she has been defiled, and she can no longer remain the wife of Collatinus now that she has had sex with another man. And so, since no one else can justly dispose of her, she must bravely do the deed herself, recognising that this is the only satisfactory conclusion to the proceedings. In the *Amphytrio*, the dreadful situation in which a highly virtuous woman is ruined through no fault of her own is resolved only because the story turns out to involve factors which are more than mortal. The key to the puzzle is unwittingly revealed by Alcmene herself halfway through the play in a moment of dramatic irony where she makes a claim about herself which the audience knows is far more significant than the character realises:

AL. per supremi regis regnum iuro et matrem familias
 lunonem, quam me vereri et metuere est par maxume,
 ut mi extra unum te mortalis nemo corpus corpore
 contigit, quo me impudicam faceret . . .

AL. I swear by the power of the supreme ruler, and by his wife Juno
 Whom it is most proper for me to revere and fear,
 That apart from you alone no mortal has touched my body with theirs
 So as to render me *impudica* . . . (*Amph.* 831–4).

It will transpire that the ‘someone’ with whom Alcmene has had sexual intercourse, and by whom indeed she has conceived, is in fact not a mortal at all, but a god: Jupiter. The audience, of course, knows this from the outset of the play, although Alcmene and Amphitryo do not. However, until this moment the importance of this fact in determining the *pudicitia* of Alcmene is not clear. Now it is: although the status of her body has been altered – indeed she has been made pregnant by someone else – she has not been touched by a *mortal man*. Thus, in the terms of this play, the issues are resolved: the physical damage of sex with someone other than her husband has been effectively negated and her body can be as pure as her mind.⁷⁶

The question of what moral judgements we should make about a woman who has sex with a god was hardly an ethical concern of quotidian pertinence for the Romans.⁷⁷ Nevertheless, the plot does test the limits of relevant marital issues and dramatise once again the split between mind and body that fragments the concept of *pudicitia*. A wife must not allow any suspicion to fall upon her, while a husband must press the point when his suspicions are aroused. The play demonstrates, indeed exploits, how hard it is for a wife to *show* her *pudicitia*, and how hard it is for a husband to *know* it. In the end Amphitryo must still rely on signs and persuasive arguments to get to the truth, as Bromia’s explanation to him makes plain:

BR: at ego faciam tu idem ut aliter praedices,
 Amphitryo, piam et pudicam esse tuam uxorem ut scias.
 de ea re signa atque argumenta paucis verbis eloquar.

BR. But I shall make you tell a different story,
 Amphitryo, and recognise that your wife is pious and *pudica*,
 I shall speak the signs and arguments of the matter in a few words (*Amph.* 1085–7).

However, one of the key messages of the play is not so much the difficulty for the husband of ascertaining the truth in such a situation, but the damage

⁷⁶ Ov. *Met.* 9.23–6 tells a different story, when Achelous taunts Hercules, calling Alcmene’s sex with Jupiter, if true, criminal, adulterous and shameful.

⁷⁷ Although see Ovid’s tease in *Met.* 3.281–2, where he has Juno, disguised as her nurse, mock-solicitously warn Semele that many men have had their wicked way with chaste wives by pretending to be gods: ‘many men have entered *pudicos* wedding chambers by claiming to be gods’.

that is done by the husband's voicing his suspicions. Indeed, much of the play's tension derives from the destructive effects of Amphitryo's false belief about and accusation of his wife. Alcmena is on the point of leaving his home and their marriage, when Jupiter returns in the guise of her contrite husband apologising for his ungrounded suspicions, to reverse the harm he has done and persuade her to stay (882–949) – in an ironic play on a conventional conversation between a suspicious husband and wife. Alcmena's refusal to submit to his entreaties shows just how much damage their marriage has sustained, and she declares that she will leave alone, if he will not send her servants with her, with only *pudicitia* for company: 'I shall leave by myself, I shall take *Pudicitia* as my companion' (*ibo egomet; comitem mihi pudicitiam duxero*, 929–30). It is only when Jupiter-as-Amphitryo entirely takes back 'his' accusations (i.e. those levelled against her by her real husband) and swears that he believes his wife to be wholly *pudica* and calls down curses on Amphitryo's head if this is not so, that she begins to relent. Since the wife whom he thus swears to hold *pudica* is in fact Juno, and the head upon which he calls down curses is not his own, the audience knows full well that his promises are not at all what they seem to Alcmena – an aggrieved wife can easily be won back with a bit of wordplay for the audience's benefit. From the point of view of the marriage, however, a full retraction of his suspicions is the only thing that can heal the rift between husband and wife.

The play was probably originally performed some time between 190 and 185 BCE, and possibly shortly after the eruption of the Bacchanalian scandal in 186 (for which see Chapter 2 above) and the end of the war waged by Flamininus against Philip V of Macedon.⁷⁸ If this is right, we might postulate that the play was in part a response to the recent cracking down by the authorities on unbridled female licentiousness during a time of national strife.⁷⁹ Such a position might pose a challenge or resistance to the authority of the state's intervention in the private affairs of those involved in the Bacchanalian cult. By making a fool of the husband and mocking his control over his household the play satirises the conventional figure of authority in the conventional way, before allowing him to regain his rightful position at the end. Yet the play also depicts the husband's suspicion as highly problematic, suggesting that suspicions are hard to verify adequately, and that their consequences can be disastrous; indeed they are capable of destroying the very thing that they would protect.

⁷⁸ On the Bacchic elements in the play see Stewart 1958. On dating see Christenson 2000: 3–4.

⁷⁹ For this pattern in Roman history see Chapter 1 p. 57 above.

THE PITFALLS OF MARITAL SUSPICION

The fostering of marital suspicion and the husband's scrutiny of his own wife and policing of her *pudicitia* were undoubtedly important phenomena in Roman culture. In 18 or 19 BCE they became enshrined in Augustus' marriage laws, which required a man to prosecute his wife if he knew she was committing adultery, as well as permitting him to kill his wife and her lover if he caught them together.⁸⁰ A number of ancient sources suggest that the key to a community's flourishing *pudicitia* is a husband's punitive role as domestic censor, although in the imperial period such communities are emphatically non-Roman.⁸¹ Pliny the Elder writes, for instance, of an avian utopia among pigeons, which has clear implications for human society:

inest pudicitia illis plurima et neutri nota adulteria. coniugi fidem non violant communemque servant domum . . .

There is much *pudicitia*, and adultery is known to neither sex. They do not violate the bond of marriage, and they look after the house together . . . (Plin. *Nat.* 10.104).

Yet here the price that is paid for laudably uncompromised *pudicitia* is suspicion and violence, and the passage goes on to reveal concerns about the darker aspects of the relationship that underpins such marital purity:

et imperiosos mares, subinde etiam iniquos ferunt, quippe suspicio est adulterii, quamvis natura non sit: tunc plenum querela guttur saevique rostro ictus . . .

And they say that the males are domineering (*imperiosos*) and sometimes even unreasonably harsh, since they are suspicious of adultery, even though it is not in their nature: then their throats are full of complaints and savage blows of the beak . . . (Plin. *Nat.* 10.104).

A husband's stern control goes hand in hand with flourishing *pudicitia*, then;⁸² Plautus' *Amphitryo* creates near-tragic farce by throwing such an idealised system into confusion through the device of divine intervention. As we have seen, it is possible that these themes of the play – the problems consequent upon the attempt to regulate a wife's *pudicitia* – may

⁸⁰ On the legislation see Gardner 1986 (esp. 131–2 on the potential prosecution of the husband for *lenocinium*), Edwards 1993: 34–62, Galinsky 1991, Raditsa 1980, Treggiari 1991: 275–98 and Introduction p. 21 above.

⁸¹ See Tacitus' description of German society, discussed in Chapter 7 below, pp. 321–9, with further references.

⁸² Although Pliny's critical description of the male pigeon suggests that such control is not always unproblematic, and his use of the adjective *imperiosus* to describe the male's bullying of his partner alludes to the imperial regime's attempt to control the sexual morality of its subjects, for which see the following discussion and also Chapter 7 below.

have been a response to the senate's recent intervention into the cult of the Bacchanalia. It is more certain that the first-century sources examined next were a response to the recent Augustan legislation and ongoing intervention into the sexual behaviour of Romans; Augustus himself actually features in Phaedrus' fable, published during the rule of his successor Tiberius; Ovid's engagement with Augustan ethics is well-known (though not uncontroversial). Ovid's *Metamorphoses* and Phaedrus' *Fables* present two rather different approaches to the theme, close in date but distinct in genre, both representing conventional marital suspicion as potentially problematic. Both raise the familiar issues of how to recognise *pudicitia's* presence, and of the dangers of delusion; in both cases a husband's delusion and excessive suspicion of his wife will have fatal consequences.

Phaedrus' Fables 3.10

The prologue to Phaedrus' third book informs the reader that, as a genre, fables mount a challenge to authority (3.pr.33–62). However, his story in this collection about marital suspicion (3.10) will in fact finally require the intervention of the emperor Augustus to reimpose moral and social order upon disintegration.⁸³ The parable presents the emperor as the supreme arbiter of domestic morality, but simultaneously suggests that the problems he must deal with are the result of the very structures of state intervention that he has put in place. This tale is introduced as a double-edged tale about credulity, and the dangers of leaping to the wrong conclusion in either direction:

periculosum est credere et non credere;
utriusque exemplum breviter exponam rei:
Hippolytus obiit quia novercae creditum est,
Cassandrae quia non creditum ruit Ilium.
ergo exploranda est veritas multum prius
quam stulta prave iudicet sententia.
sed fabulosam ne vetustatem eleves
narrabo tibi memoria quod factum est mea.

It is dangerous both to believe and not to believe;
I shall briefly allude to an *exemplum* of both:
Hippolytus died because his stepmother was believed,
When Cassandra was not believed Troy was destroyed.
Thus the truth must be explored long before

⁸³ See Henderson 2001: 40–1 for this poem's depiction of the emperor's role as guardian necessarily overseeing the imperial legal system.

A foolish assumption leads to a wrongful judgement.
 But lest you should dismiss ancient fiction
 I shall narrate for you something that happened in my
 own memory (Phaedr. 3.10.1–8).

The opening lines confuse the distinction between history and fable, thereby fostering from the start uncertainty about how the story should be read and understood; Greek tragedy (represented by Hippolytus) and Homeric epic (represented by Cassandra) provide us with *exempla* (events that are true and historical), even if some readers might consider their provenance untrustworthy, as ‘a past full of fables’ (*fabulosam vetustatem*). The fable itself, meanwhile, has a contemporary setting in imperial Rome, involves real historical characters and really happened (or so he claims) in Phaedrus’ own lifetime. Phaedrus also claims Roman supremacy over Greek literary tradition; while Greek myth has only been able to illustrate one aspect at a time of the paradoxical and double-edged lesson of the opening line, the Roman fable will take on both.

The tale is one of *fama* and rumour, marital suspicion and gullibility, which will destroy a marriage and several lives. It begins with a prosperous family unit: a wealthy Roman citizen with faithful wife and fine son on the brink of adulthood. The opening words, however – ‘There once was a husband who loved his wife . . .’ (*maritus quidam cum diligeret coniugem*, 9) – are ominous: the fate of Gyges – whose excessive love for his wife drove her into the arms of another man and cost him his life – resonates here.⁸⁴ This loving husband will turn out to be vulnerable to slander, too quick to believe the false and malicious rumour that his wife is having an affair. A freedman who hopes to profit financially from his schemes persuades this loving husband that his wife and son are both up to no good; and especially that his wife is adulterous:

qui cum de puero multa mentitus foret
 et plura de flagitiis castae mulieris
 adiecit id quod sentiebat maxime
 doliturum amanti, ventitare adulterum
 stuproque turpi pollui famam domus.

After he had told many lies about his son,
 And more still about the scandalous behaviour of his chaste wife,
 He added what he knew would be most
 Upsetting to the one who loves, the story that an adulterer had been frequenting
 His house and polluting its honour with disgusting *stuprum* (Phaedr. 3.10.13–17).

⁸⁴ Hdt. 1.8–12.

The husband immediately believes, but nevertheless wants proof. He feigns a reason for absence from his property and then returns home unexpectedly in the middle of the night. He enters his own bedroom to find his wife, whom the story describes as pure (here, *sanctam*) in line 30 and innocent (*innocentis*) in line 38, in bed, sure enough, with another man – but this man is her son, whom, like a good mother, she has taken into her bed in order to protect from sexual predators. The husband will jump to the wrong conclusion in the dark (a symbolic visual obscurity) and kill his own son; when the lamps are lit, he realises his error and kills himself. Nor does the tragedy end here; popular opinion and the legal system subsequently leap in to misinterpret the situation, suspecting the poor bereaved widow of having engineered the death of her husband and son for the sake of inheritance: she is put on trial for conspiracy to murder. In the end, amongst so much misunderstanding, it is only the clear-sighted ruler who will fully grasp the situation and be able to step in to prevent the woman's conviction and ruin.

The explicit moral that Phaedrus draws from this tale is that (unless perhaps one has the superhuman powers of a subsequently deified emperor) it is difficult to ascertain the truth of another's guilt, especially when one is predisposed to believe one thing rather than another (as, for instance, a jealous husband) and one fails to take the time properly to assess the situation. It is precisely these conditions, of course, on which the freedman confidently relies, indicating that we are to understand that such dangers are widespread:

nil spernat auris nec tamen credat statim
quandoquidem et illi peccant quos minime putes
et qui non peccant impugnantur fraudibus.

Dismiss nothing that you hear and at the same time do not believe straightaway. Since not only are the people who sin those whom you would least expect. And even those who do not sin are assailed by trickery (Phaedr. 3.10.51–4).

Things are not always what they seem at first sight, and hasty scrutiny leads to rash decisions.⁸⁵ The tale appears to cast imperial intervention as the ultimate means of resolving social and domestic trouble and to function therefore as a traditional *exemplum* about the paternal guardianship of morality. Cast in the mould of a light-weight fable cum real-life scandal, it draws nevertheless on the same moral tradition as the *exempla* in the work of Phaedrus' contemporary Valerius Maximus; the paternal figure, whether

⁸⁵ A similar message about the dangers of believing trumped-up accusations about the innocent is found in Phaedrus 1.1: 'this fable has been written because of all those who oppress innocent people with false accusations' (1.1.14–15).

father or emperor, will resolve, through the meting out of justice, the mess created by those in his care.⁸⁶ Yet the tale also undermines the establishment by highlighting the impossibility for a *matrona* of ever achieving such flawless perfection as to raise herself above her husband's suspicion, and the damaging potential of such 'impossible protocols'.⁸⁷ The risk inherent in expecting so much is great when certainty is so elusive. The story also warns of the destructive perils of overeager marital mistrust, which believes without question or hesitation the fraudulent accusations of an outsider. The tale dramatises the husband's blindness and inability to see what is before his eyes, as well as his susceptibility to the influence of storytelling (and that of the people of Rome). Such mistrust and such precipitous action have been encouraged, if not required, by Augustus' legislation, under the terms of which the husband (or father) who believes a wife's adultery must make decisions on the spur of the moment, or within a limited period.⁸⁸ The tale is partly a comment therefore on the unfortunate consequences of imperial legislation. If Augustus had not made it a law that husbands might kill their adulterous wives immediately and must at least prosecute them within two months, the freedman would not have been induced or enabled to form his scheme.⁸⁹ In the end, the fable suggests that the laws designed to regulate marriage invite unprincipled abuse, and the personal appearance of Augustus in the story is surely designed to remind the reader that the laws were made in his name, which in turn have created new problems and new threats to happy marriages.⁹⁰

Ovid's Metamorphoses 7.641–865

The tale narrated by Cephalus in Ovid's *Metamorphoses* (7.641–865) about his tragic marriage to Procris⁹¹ is not set in a world in which Augustan laws apply; however, Ovid wrote the poem during the period of Augustus' rule (in the early first century, before his exile in 8 CE).⁹² This story too explores

⁸⁶ See Chapter 3 above, pp. 148–53.

⁸⁷ See Henderson 2001: 41 who also refers to the similarity of the fable in this respect to the plots of declamation (49–51), discussed below in Chapter 5. The theme of the *paterfamilias* who gets it wrong (with less tragic results) is common in comedy too.

⁸⁸ See Edwards 1993: 39, 46–7, 53–4; Introduction above, p. 21. ⁸⁹ Henderson 2001: 4.

⁹⁰ Ovid's parody of marital control in *Amores* 2.19, in which he exhorts Romans to guard their women properly, not in order to prevent adultery, but to set the lover a more stimulating challenge, speaks to this same issue from a different angle.

⁹¹ The story also appears in the *Ars amatoria*, 3.687–96, as a warning about rash credulity.

⁹² Marriage, adultery and suspicion are key themes in the *Metamorphoses* generally, although this is the only story in the poem in which the language of *pudicitia* is employed (at lines 7.720 and 734). It also appears one other time at 3.282, for which see note 77 above.

the dangers for marriage of hasty conclusions and misunderstanding, especially where the motivation for action is jealousy and love rather than strict legal and moralistic policing.⁹³ The destruction in this story is wrought by the persistent overinterpretation and misreading of signs by both partners, thanks to the application by them of the wrong interpretative framework.⁹⁴

The first cloud on the horizon of the happily married couple is the goddess of the dawn, Aurora, who makes Cephalus the object of her divine love, and abducts (*rapit*) him when he is out hunting alone, shortly after his wedding. Cephalus staunchly resists her seductions, and reiterates his love for Procris until Aurora becomes impatient and releases him, with a sinister prediction: 'Take your Procris then – though, if my prediction is right, you will wish that you had not!' (700–13). As he returns home, then, turning Aurora's words over in his mind, Cephalus becomes anxious about what his wife may have been up to during his absence – after all, his wife is young and beautiful, and these factors make it all too likely that she will have committed adultery while he has been away, however virtuous she might be:

dum redeo mecumque deae memorata retracto,
esse metus coepit, ne iura iugalia coniunx
non bene servasset: facies aetasque iubebat
credere adulterium, prohibebant credere mores;
sed tamen afueram, sed et haec erat, unde redibam,
criminis exemplum, sed cuncta timemus amantes.

As I was returning home and thinking over what the goddess had said,
I began to fear that my wife had not safeguarded well
Our conjugal vows; her appearance and her youth urged one
To believe adultery, her morals forbade one to believe it.
Yet I had been absent, and the goddess I was returning from
Was an *exemplum* of such a crime; we lovers are fearful of everything
(*Met.* 7.714–19).

Like the husband of Phaedrus' tale, Cephalus succumbs to an interested third party's malicious suggestion about his wife's infidelity, and he too decides secretly to test his wife's fidelity and *pudicitia* himself:

⁹³ Like the husband in Phaedrus' fable, Cephalus is also joined to his wife by a force greater than marriage: 'Love bound her to me' (*hanc mihi iunxit amor*, 7.698). At *Met.* 9.134–71 Deianira also believes too readily, because she loves so well, the false rumour of Hercules' infidelity and in her efforts to deal with the situation ends up by killing her beloved husband horribly.

⁹⁴ Cf. Otis 1970. It is partly, therefore, a parable about the complexities of reading, and as such should remind us that all our ancient sources about *pudicitia* are works with their own, often self-reflexive, preoccupations.

quaerere, quod doleam, statuo donisque pudicam
sollicitare fidem. favet Aurora timori
inmutatque meam (videor sensisse) figuram.

I decided to seek out what I feared, and to test with gifts
Whether her fidelity was *pudica*. Aurora encouraged my fears
And changed my appearance – I seemed to feel it happening (*Met.* 7.720–2).

In this guise of a travelling stranger⁹⁵ he comes to his wife's home and applies to her the familiar pressures of the seducer,⁹⁶ attempting first to woo her with flattering words. Procris is as steadfast in her loyalty to her husband as he was towards her, and proves herself a wife of unimpeachable *pudicitia* and the highest moral standing:

quid referam, quotiens temptamina nostra pudici
reppulerint mores, quotiens 'ego' dixerit 'uni
servor; ubicumque est, uni mea gaudia servo'?

Why should I relate how many times her *pudici*
Morals ward off my seductions, how many times she said 'I
Am reserved for one man only; wherever he is, I reserve my joys
for him alone'? (*Met.* 7.734–6)?

As Cephalus himself says, what sane man would not be satisfied at this point with such a display of *pudicitia*? But Cephalus pushes his luck, and his impetuous lack of trust will be punished by loss of his wife twice over – once she will leave him, and by the narrative's end he will lose her forever, dead by his own hand. When he moves on to bribery, offering gifts in exchange for a night with Procris, he finally compels his wife to hesitate and consider; in grim triumph he reveals himself to her as her own husband, witness to her moment of faithlessness (738–42). Like Alcmene, Procris is devastated by her husband's lack of faith in her (as well as by shame at her own moment of weakness), and flees his house for the chaste company of Diana and the mountains. Eventually, however, at his apology and entreaty, she returns and they live many sweet years together, until the tale recommences for the tragic finale that ends this book of the *Metamorphoses*. This time the suspicion and misunderstanding will be the wife's, misinformed again by

⁹⁵ The motif of the travelling stranger as a threat to a wife's *pudicitia* is a recurrent one in Roman literature; one may look to the story of Lucretia, or Roman versions of Paris and Helen, but see also Chapter 5 below.

⁹⁶ This seduction-and-rape formula is played out again and again in the *Metamorphoses*. See e.g. Apollo's unsuccessful pursuit of Daphne (1.504–68), Neptune's wooing of the maiden who became a crow (2.569–77), the story of Leucothoe (4.217–33) and Tereus' persuasive assault on Philomela before his rape of her (6.455–71). See also Chapter 1 above and Chapter 5, Chapter 6 (Verres) and Chapter 7 below. On rape in Ovid see also Richlin 1992c.

a meddler who has overheard her husband calling out to the breeze (*aura*) to cool and refresh him, and has taken his words to be addressed to a lover, Aura.⁹⁷ In the familiar pattern, Procris, in love with her husband, is too ready to believe ('love is a credulous thing', *credula res amor est*, 826), but determined to obtain proof. Her quest to discover the truth about her husband's affair is her final undoing: as she spies on him from the undergrowth, he hears a rustle, lets fly his unerring spear, and kills his wife.

In the case of all three texts just discussed – Plautus' *Amphitryo*, Phaedrus' fable and Ovid's story of Cephalus and Procris – the husband's suspicion itself is a direct and important factor in the destruction of the marriage. In this final tale, the couple's mutual passion is mirrored in the mutual suspicion which damages their marriage twice over: the first time Cephalus' unwarranted suspicion leads to their separation, healed only when (as in the *Amphitryo*) he retracts his accusations and takes the blame upon himself; the second time Procris' groundless suspicions lead to her own death. In all the tales the themes of misunderstanding and misreading are emphasised by instances of actual impersonation and misrecognition: Jupiter appears to Alcmena in the guise of her husband, so that she fails to recognise who he really is; the husband in Phaedrus' tale mistakes his son for an adulterer in the dark; Cephalus disguises himself as a stranger so that his wife fails to recognise him, and, in turn, mistakes his wife for a wild animal when he hears her in the woods. The stories suggest that, since *pudicitia* is so hard to read, the virtuous distrust encouraged by the community can be more dangerous than sexual immorality itself.

THE NOVEL: THE FUTILITY OF *PUDICITIA*

Such texts as those we have just read challenge traditional ideas of authority and control of sexuality, by subjecting virtuous and loving spouses to the horrors of mistrust. The prose works of Petronius and Apuleius are equally subversive, but in a very different way, depicting worlds to which elite texts cannot take us, in which it is rare to find genuine love and fidelity between husband and wife, and almost no one can hold out against the forces of lust, greed and avarice. The pessimistic moral universe of these works finds parallels in other works written after the middle of the first century, under established imperial rule, such as the satires of Juvenal and the works of

⁹⁷ Cf. Hardie 2002a: 75–7 for a discussion of the passage.

Tacitus and Suetonius.⁹⁸ They also draw on a long Roman tradition of revelling in the comic potential of extravagantly adulterous wives.

Petronius' Satyricon 110–113

An assertion about moral bankruptcy is the declared moral of a story, told to keep up the spirits of his companions, by Eumolpus in Petronius' *Satyricon*.⁹⁹ Eumolpus narrates the fable of 'The Widow of Ephesus' in order to illustrate his humorous claim that 'there is no woman who is so *pudica* that she can't be driven to distraction by lust for a passing stranger' (*nullam esse feminam tam pudicam, quae non peregrina libidine usque ad furorem adverteretur*, 110.6).¹⁰⁰ One thinks at once of Lucretia, whose traditional story seems to contradict this claim, but more keenly of Virgil's account of Dido and her destructive passion for the traveller Aeneas, which will be cited substantially throughout this story.¹⁰¹

The story begins by satirising the traditional notion of *pudicitia* as a quality for public display and communal ownership (as outlined in Chapter 1 above):

matrona quaedam Ephesi tam notae erat pudicitiae, ut vicinarum quoque gentium feminas ad spectaculum sui evocaret.

There was once a married woman of Ephesus who was so well-known for her *pudicitia* that she drew even women from surrounding states to her as a spectacle (*Sat.* 111.1).

This woman is the very epitome of *pudicitia*, and she should provide an inspirational example to the women who come from far and wide to see her. Yet there is no explicit reference to any moral depth to their viewing, and indeed she is described as a *spectaculum*, a show or a spectacle; the term makes reference to the Livian *spectata castitas*¹⁰² but transforms moral standing into entertainment. In this world of vice she is such an unusual phenomenon that she has become a tourist attraction for other women to gawk at, for entertainment. Moreover, in the description of the woman's behaviour and commitment to her husband after his death, there is more than a suggestion that her comportment is excessive and showy. She is 'not content' (*non contenta*) with ordinary mourning conventions of following

⁹⁸ See the discussion in Chapter 7 below, and above on Juvenal (p. 56) and Martial (p. 83).

⁹⁹ The overall context for the tale is, of course, a narrative chock full of every kind of *impudicitia*.

¹⁰⁰ Like Phaedrus, Eumolpus claims that the story is both true and from his own memory.

¹⁰¹ On the Virgilian allusions in the story see Rimell 2002. ¹⁰² See Chapter 1 above, p. 88.

the funeral procession, shaking out her hair and beating her breast, but keeps vigil night and day over the body in its tomb, and resolves to starve herself to death there, despite the protestations of the community. Despite the narrator's scepticism, the townspeople lap it up, mourning her as 'a unique and exemplary woman' (*singularis exempli femina*):

una igitur in tota civitate fabula erat: solum illud affulsisse verum pudicitiae amorisque exemplum omnis ordinis hominem confitebantur . . .

In the whole city there was but one topic of conversation (*fabula*): people from every class confessing that this woman was the only one who had shone as a true example of *pudicitia* and of love . . . (*Sat.* III.5).

At this point, as the woman spends her fifth day starving in the tomb and the townspeople marvel at her virtue, the passing stranger arrives on the scene. He is a common soldier, hired by the provincial governor to guard the corpses of criminals on the cross and prevent anyone from removing them in order to give them a proper burial. The woman will now be persuaded to succumb to baser instincts – personified by the soldier and her own solicitous maid – of hunger for food and sex, and the combined assault of flattery and citations from the *Aeneid*. Once the maid has been tempted to eat, she manages to persuade her mistress to take some food, and noble intentions are vanquished by corporeal need:

ceterum scitis quid plerumque soleat temptare humanam satietatem. quibus blanditiis impetraverat miles ut matrona vellet vivere, isdem etiam pudicitiam eius aggressus est. nec deformis aut infacundus iuvenis castae videbatur, conciliante gratiam ancilla ac subinde dicente: 'placitone etiam pugnabis amori?' quid diutius moror? ne hanc quidem partem corporis mulier abstinuit, victorque miles utrumque persuasit.

Well, you know what generally tends to tempt a person once they have eaten well. The soldier, using the same seductive words with which he had managed to get the woman to want to live, now attacked her *pudicitia* too. He appeared to the chaste woman as a neither unattractive nor inarticulate young man, while her maid advised courtesy, and added repeatedly 'Will you fight love even when you want it?'¹⁰³ Why should I hesitate? The woman did not abstain even where that part of her body was concerned, and the triumphant soldier persuaded her on both counts (*Sat.* II2.1–2).

Like Dido, the woman swiftly forgets her pledges to her husband under the influence of the winning words of a handsome man who happens to turn up in the neighbourhood, and the apparent fortress of *pudicitia* is toppled with ease.

¹⁰³ A citation of Virg. *Aen.* 4.38.

However, the more grotesque and self-indulgent the behaviour of the woman, the further her pure reputation is enhanced; for three days and nights she has sex with the soldier, shut away in the tomb with the corpse of her husband for company, but takes care to close the doors of the tomb so that anyone on the outside will only take this as a sign of her exceptional *pudicitia*: 'so that anyone, friend or stranger, who came to the monument would think that an outstandingly *pudica* wife had expired over the body of her husband' (*ut quisquis ex notis ignotisque ad monumentum venisset, putaret expirasse super corpus viri pudicissimam uxorem*). This strategy for misleading passers-by emphasises the distance between what outsiders to the situation see and believe, and what is really going on in the private, hidden spaces of tomb and soul. The story teaches that one should suspect even what seems to be the most resplendent virtue.¹⁰⁴ In the novel 'all appearances are deceptive'¹⁰⁵ and this is a particularly devastating message in a context in which what you see is all you get, as is the case when it comes to reading *pudicitia*.

The wife's disgrace is compounded in the final act of the story, in which, faithful now to her 'saviour' and new lover, she saves him, in return, from official wrath, when one of the corpses he is supposed to be guarding (while he enjoys himself in the tomb with her) is stolen away by relatives for burial. Not only does she betray her husband's memory by having sex with a new lover before the mourning period is five days old and beside his very corpse, but she now desecrates his corpse by nailing him to the cross in substitution for the missing criminal, keeping him from the burial he deserves and treating his body with the utmost disrespect.

For her decision to aid her lover in this way, the woman is described as being 'as compassionate as she was *pudica*' (*non minus misericors quam pudica*), and the delicate complex of ironies in the phrase sums up the moral scope of the story.¹⁰⁶ For the woman is indeed compassionate towards the young man, and risks much to help him, so this is no heavy sarcasm (such as that we will find in Apuleius' description of the miller's wife).¹⁰⁷ Yet the phrase compares her compassion with her *pudicitia*, which we know has

¹⁰⁴ The superlative *pudicissima* is very rarely found in the sources, and half the occurrences are in the novels (here and in Apul. *Apol.* 78 and *Met.* 9.28). Elsewhere it appears in Cic. *Phil.* 2.99 and Plin. *Nat.* 1.1 (list of contents) and 7.120.

¹⁰⁵ Conte 1996: 106 on the message of this story of 'The Widow of Ephesus'.

¹⁰⁶ The range of responses by the group of seedy characters in the novel to this tale reflect a range of readings informed by different perspectives on the tale: the sailors laugh at the racy entertainment, Tryphaena (who herself has just transferred her affection from one man to another) blushes, and Lichas is indignant and calls for the woman's punishment.

¹⁰⁷ See below, p. 241.

been assailed by the soldier, and the phrase is certainly not unadulterated praise. Likewise, she is earlier described as *casta* just at the point where the young soldier is catching her eye and beginning to seduce her – the point where she is revealed as susceptible to his approaches. The woman's explanation for her deed (touching and pragmatic as it may sound to the modern ear) highlights the impossibility of traditional virtue in such a situation: 'Let the gods not permit that I should look simultaneously upon two funerals of the men most dear to me' (*'ne istud', inquit, 'dii sinant, ut eodem tempore duorum mihi carissimorum hominum duo funera spectem',* 112.7). Her fidelity towards her lovers should be noble, were it not that there are two of them, that she is, then, emphatically not *univira*, that her commitment to each is not unique. Her declaration almost sounds like that of an admirably faithful wife, prepared to go to extraordinary lengths to stand by her man. Yet there is something amiss; it is not that she is entirely *not* compassionate or *pudica*, but that she manifests new versions of these qualities in situations where they would traditionally be highly inappropriate. The woman has been confidently described as a paradigm of *pudicitia* at the start of this tale, and we cannot discard entirely the notion that she may be understood in some novel way to remain *pudica* to the end. When even outstanding *pudicitia* is shown to dissipate so easily in the face of temptation, this raises the question of whether *pudicitia* as it is known from traditional stories really exists at all, or is only ever an illusion, such as that perpetrated by this woman.

Those who come off worst in this story, however, are the gullible townspeople who revere the woman for self-destructive grief and are unable to see below the surface of woman or tomb; their values are revealed as shallow and misguided. Meanwhile the widow herself exhibits in the end a more resilient version of *pudicitia*, that is able to respond to contingencies as they arrive, allowing a woman to continue to derive pleasure from life after her husband has gone, and to direct her loyalty and compassion elsewhere.

Apuleius' Metamorphoses

Apuleius' work also questions the value of traditional ideals, and like Petronius, he digs deeper to show us the 'reality' beneath the surface, the vulgar and mundane beneath the elitist cant of tradition. Petronius' fable combines two elements that are also found in Apuleius' *Metamorphoses*: the notion that traditional *pudicitia* is a quality so rare as to be freakish, entertaining and a little disturbing, and the related idea that when one thinks one sees *pudicitia*, one should presume that there is deception at work. In Apuleius'

work, women who have *pudicitia* end up compromising their femininity and becoming strange androgynous creatures (Charite and Plotina), or else lose their *pudicitia* and are unfaithful to their husbands; other women merely feign *pudicitia* to cover up adultery. The widow of Ephesus, as we have seen, embraces all these patterns: she is the oddity and the talk of the town for her excessive virtue, her virtue is conquered in a flash, and then she cynically – or sanely – continues to shroud her new allegiances in a counterfeit image of *pudicitia*.

Apuleius' *Metamorphoses* claim to relate the adventures of their narrator, Lucius, who early on in the story is transformed into a donkey when a magic spell goes wrong. In this form he is subjected to all kinds of indignities; yet the beast's body also forms a disguise that makes it possible for him to become an unheeded voyeur, witnessing and overhearing accounts of the adventures of others. Lucius' progress becomes, then, a vehicle for all kinds of fables and stories, and storytelling and narratological issues are key motifs of the work.¹⁰⁸ Narrators, including Lucius himself, are often portrayed as unreliable, and the whole notion of the reader's interpretation of the work and of individual narratives within it is regularly called into question, so that the novel's moral stance and the thrust of the 'moralising' tales that are narrated within it are hard to gauge. Indeed, this is an essential feature of the work, which Winkler has described as 'hermeneutic entertainment',¹⁰⁹ inviting the reader to participate self-consciously in the process of interpretation. Like the genre of comedy, the novel engages profoundly, disturbingly and entertainingly with moral issues, yet at the same time undermines its own moralising force, so that the reader is left with no authorised reading. For instance, Lucius claims that the series of adulterous escapades that he has witnessed and relates in Book 9 have taught him all about virtues (*virtutes*) and rendered him *multiscium*, multiknowing (9.13),¹¹⁰ yet it may be argued that the novel subsequently suggests that he has learnt nothing from these experiences.¹¹¹ In these tales wives plot with lovers behind their husbands' backs, women are either depraved or easily corrupted, lovers unscrupulous, servants encourage and abet, husbands are alone and in the dark; what kinds of virtues and knowledge do these stories teach?

The nature of the stories varies: many are grotesque Milesian tales of adultery and corruption; others are introduced as contemporary or historical

¹⁰⁸ Winkler 1985; for a summary of recent scholarship in this area see Schlam and Finkelpearl 2000: 117–35.

¹⁰⁹ Winkler 1985: 11.

¹¹⁰ In an allusion to the canny Odysseus of Homer who is called by the equivalent Greek term *polymetis*.

¹¹¹ See Frangoulidis 2000: 77.

moralising anecdotes with an exemplary ring; others take place in the fictionalised world of the Roman East in which the main narrative unfolds.¹¹² The characters and plot elements are often familiar stereotypes from other genres and generic play is another important feature of the work. Among the tales that deploy the concept of *pudicitia*, for instance, there is some variety. The setting of the story of Plotina in Book 7 is contemporary and historical, taking place at the Roman imperial court; the narrative structures are those of traditional *exempla*. The tale of Charite's pursuit by Thrasyllus in Book 8 has protagonists with Greek names, employs a ghost as a plot device, is partially inspired by *Aeneid* 4, and has the narrative structure of a tragedy. The extended tangle of narratives in Book 9 plays sophisticated variations on the popular theme of the adultery farce.

An episode in Book 10 illustrates the novel's cynicism and deliberate interaction with other literary genres. Here a story is introduced in terms that suggest its similarity with the plot of Euripides' *Hippolytus*, upon which it will indeed draw:

sed noverca forma magis quam moribus in domo mariti praepollens, seu naturaliter impudica seu fato ad extremum impulsa flagitium, oculos ad privignum adiecit. iam ergo, lector optime, scito te tragoediam, non fabulam legere et a socco ad coturnum ascendere.

However, his stepmother ruled her husband's house with her beauty rather than with her morals, and, whether naturally *impudica*, or driven by fate to the lowest kind of crime, she fastened her eyes upon her stepson. Know then, dear reader, that you are reading a tragedy rather than a comedy, and being promoted from the comic shoe to the tragic boot (*Met.* 10.2).¹¹³

The two suggested explanations for the stepmother's lust for her stepson (the workings of fate or innate *impudicitia*) work as an ironic joke at the expense of the novel's moral outlook; in Euripides' tragedy, Phaedra, for all that she is the villain of the piece, is a victim of the goddess Aphrodite's revenge upon Hippolytus, and is not motivated by any innate vice of her own. However, in the context of this work, peopled with lustful and criminal women, a natural tendency towards vice is far more plausible than the lofty intervention of the gods, and sure enough the woman will turn out to be the embodiment of malice, trumping Phaedra in every department of vice.¹¹⁴

¹¹² Petronius' story of the Ephesian widow combines elements of all these story types. See further Millar 1981.

¹¹³ The *soccus* is a Greek slipper which is representative of comedy as the *coturnus* is of tragedy.

¹¹⁴ What is more, this 'tragedy' will have an ending that sees the stepmother punished and the 'good' actors in the tale triumphant.

Likewise, the image of Lucius cast as a helpless victim in the mode of Lucretia, wanting to kill himself rather than be contaminated by having sex with a terrible woman, were it not that because he only has hooves he cannot hold a sword (10.29), does not ring quite true; he has been more than happy to have sex earlier with a different and desirable *matrona* (10.19–22). Lucius is no Lucretia, and it is not that he has qualms about adulterous sex; we might interpret his position as an aesthetic rather than a moral one. However, it is also the case that the woman from whom he shrinks is lavishly depicted as an embodiment of wifely evil: she is suspicious, jealous, obsessive and eventually murderous. The ‘only’ crime of the former *matrona*, on the other hand, is adulterous bestiality (like Alcmena, though at the same time rather different, she is not having sex with ‘another man’); and she is described, strangely, as *egregia uxor*, and as bestowing on Lucius the kisses of such a wife, ‘pure and sincere’ (*pura et sincera*). The wife who places excessive premium upon her marriage is cast here as the villain.

The complex of stories about the relationship of Charite and Tlepolemus in Books 7 and 8 offers two instances of exemplary conjugal virtue against which the later stories may be brought into relief. The first is an anecdote purporting to originate from the imperial court, about a man whose wife’s commitment to him is so strong that she is prepared to follow him into exile.¹¹⁵ However, it is told by Tlepolemus to the band of robbers while he is disguised as the brigand Haemus, during his rescue of Charite, and thus comes from the mouth of an impostor. Moreover, although it adheres to traditional exemplary structures, it goes nowhere within the novel, only reflecting the conjugal fidelity of the real speaker himself:

sed uxor eius Plotina quaedam, rarer fidei atque singularis pudicitiae femina, quae decimo partus stipendio viri familiam fundaverat, spretis atque contemptis urbicae luxuriae deliciis, comes fugientis . . .

But his wife Plotina, a lady of rare fidelity and singular *pudicitia*, who had laid down a family for her husband with contribution of ten children, scorning and despising the delights of urban luxury, accompanied her husband into exile . . . (*Met.* 7.6).

Pudicitia is depicted as a rare quality, unexpected and notable in a wife, standing out starkly against the lure and indulgence of the city of Rome, which it takes considerable moral strength to resist.¹¹⁶ It is combined with

¹¹⁵ For the tradition of such anecdotes see Val. Max. 4.3, Parker 1998b.

¹¹⁶ Comparable, for instance, to Seneca’s description of his mother among the other women of Rome, pp. 75–6 above; for the temptations of the imperial city see p. 325 in Chapter 7 below.

both a commitment to her marriage and husband that will see her undergo considerable trials for their sake, and a prodigious fertility that is described as paying her dues to her husband; Plotina is an ideal wife.¹¹⁷ Yet this is a disturbing tale, which sees Plotina violating her matronal appearance in a way that also recalls traditional punishments for adultery (head-shaving, wearing the prostitute's toga), and it is also a tale told under false pretences, so that Tlepolemus can ingratiate himself as 'Haemus'.

The (highly allusive) fate of the 'real' woman within the tale, Tlepolemus' beloved Charite, unfolds at 8.1–14. Here Charite is portrayed as a faithful, loving and morally upright wife whose *pudicitia* comes under attack from an unscrupulous suitor in the time-honoured fashion.¹¹⁸ The first despicable act of Charite's lover, however, is to kill her husband. Charite is therefore a widow under siege from the consolatory attentions of Thrasyllus, her husband's murderer.¹¹⁹ The portrait of Charite draws on Virgil's Dido, contrasting, however, Dido's eventual capitulation to love for Aeneas (under the influence of Venus and Cupid) with Charite's refusal to interrupt her grief in order to allow another man into her heart.¹²⁰ The ghost of Charite's husband appears to her during her *pudica* repose (*pudicam quietem*, 8.8) and tells her what has happened, and she plans her revenge. Enticing Thrasyllus with the promise of secret sexual intercourse, a plan with which he is eager to co-operate, she brings him to her house at the dead of night, alone. There he is given a sleeping draught by the old woman who is her accomplice, and when he is lying asleep, supine and vulnerable on the bed, she attacks him:

iamque eo ad omnes iniurias exposito ac supinato introvocata Charite masculis animis impetuque diro fremens invadit ac superstitit sicarium.

When he was lying on his back, exposed to every injury, Charite was summoned and, raging with masculine spirit and dire fury, she rushed to the attack and stood over the murderer (*Met.* 8.11).

The representation of the attack is sexualised; Charite turns the tables and casts Thrasyllus as the sleeping Lucretia and herself as Tarquinius, robbing

¹¹⁷ See Livy 42.34–3 for Livy's ideal wife, Chapter 3 above for Valerius Maximus, and Chapter 7 below for Tacitus on Agrippina, all of which describe an ideal wife in similar terms; cf. Chapter 1 p. 38 above.

¹¹⁸ It is only after Charite has become a *matrona* (at 7.14) through her marriage to Tlepolemus that her *pudicitia* becomes an issue, but see also Papaioannou 1998 for problems in the legitimacy of the marriage that cast a shadow over their relationship.

¹¹⁹ She is drawn in pointed contrast to the widow of Ephesus depicted by Petronius; her lamentations are sincere, but she allows herself to be persuaded to live by her relatives.

¹²⁰ See Virg. *Aen.* 1.340–64 for the story of Sychaeus' murder by his brother Pygmalion, Dido's subsequent grief and the visit by her husband's ghost.

him, however, not of his *pudicitia*, but of his sight. She is emphatic, however, that he shall not be granted the heroic death of a Lucretia: she brings no sword or dagger into the room that might place him, in death, upon a par with her husband. She uses the humble and humiliating tool of the hairpin to put out his eyes, denying him a man's death, and leaving him a blinded Oedipus. In a mock-erotic speech, she addresses him in terms of feigned admiration and surveys his body as a lover might, running her eyes over his various attributes – his hands, his chest, his eyes¹²¹ – before each time revealing their real and chilling significance to her:

en, inquit, fidus mei coniugis comes, en venator egregius, en carus maritus: haec est illa dextera quae meum sanguinem fudit, hoc pectus est quod fraudulentas ambages in meum concinnavit exitium, oculi isti quibus male placui . . .

Here is the faithful comrade of my husband, here the noble hunter, here the dear husband: this is the hand – that spilled my blood; this is the chest – that conceived your terrible plans for my downfall; here are the eyes – that unfortunately took a fancy to me . . . (*Met.* 8.12).

Her speech contains knowing allusion to the patterns of such tales where it is the *pudica* woman who appeals to the eyes of the lustful man;¹²² once again Charite turns this back upon him, and takes control of the situation:

sic pudicae mulieri tui placuerunt oculi, sic faces nuptiales tuos illuminarunt thalamos.

This is how appealing your eyes were to a *pudica* woman, this is how bridal torches illuminated your wedding (*Met.* 8.12).

Plotina and Charite are both virtuous women who display their *pudicitia* vividly in heroic and exemplary fashion. However, both women, in doing so, explicitly compromise their femaleness, and the stories both ascribe masculinity to their respective heroines (just as Valerius Maximus does in 6.1). Plotina disguises herself as a man in order to accompany her husband: 'she cut off her hair and changed her clothes so that she looked like a man' (*tonso capillo in masculinam faciem reformato habitu*, 7.6). Charite, meanwhile, in order to steel herself for the grisly deed, must, like Lady Macbeth, be unsexed: she enters the attack 'raging with masculine spirit and dire fury' (*masculis animis impetueque diro fremens*, 8.11). There is no overt satire or cynicism in these accounts, yet there is a defeatist implication that

¹²¹ Cf. e.g. Ovid *Am.* 1.5 running his textual eyes over Corinna's torso.

¹²² Cf. Chapter 1 p. 75, Chapter 2 pp. 87–8 above.

in a world like this a woman of *pudicitia* is such an unusual phenomenon that it defies the laws of nature.

The long series of episodes of adulterous wives and returning husbands in Book 9 unravel the darker side of Apuleius' world.¹²³ The sequence begins with a free-standing tale (9.5–8) about an adulterous wife who successfully tricks her husband and succeeds in having sex with her lover while her unwary husband is actually in the room and in conversation with her; this sets up the generic structure of a story in which a husband returns home unexpectedly when his wife is entertaining an adulterer, but this first is the only story in which the wife and adulterer manage to have sex with each other, and the following tales play significant variations on the theme. The rest of the tales form part of the overarching narrative of the tale of the miller and his wife. The outer story, told by Lucius (who claims to have been witness to its unfolding), is a tale of an adulterous miller's wife surprised with her lover Philesitherus by her returning husband, who metes out his own form of justice in a satisfying twist (9.14–28). This ending, however, proves a false closure, when in the ensuing pages the miller himself becomes the target of his wife's retribution, and ends up dead (9.29–31). Meanwhile, the two inner tales form parts of conversations between characters in the main outer plot (which Lucius claims to have overheard, thanks in part to his excessively long donkey's ears). The first (9.17–21) is told by a friend of the miller's wife, who persuades her to initiate an affair with Philesitherus by relating his cunning and initiative in evading the consequences of another adulterous escapade; in the second (9.24–5) the returning husband relates to his wife the scene that he has just left, where another husband has apprehended and punished his wife and her adulterer. In the first inner tale the suspicious husband is outwitted and the adulterous pair get away with it; the story is an inspiration to the miller's wife. In the second, the outcome is the reverse; the husband discovers the treachery, and effectively takes his revenge. In the outer story the miller eventually gets his revenge by having sex with the adulterer himself: depriving his wife of her pleasures, inflicting passivity and humiliation on Philesitherus, and gratifying his own sexual desires – what could be neater? – ‘He alone slept with the boy and enjoyed the most welcome revenge for his corrupted marriage’ (*solus ipse cum puero cubans gratissima corruptarum nuptiarum vindicta perfruebatur*, 9.28). A twist on the traditional way of punishing adulterers with anal

¹²³ The passage is discussed by Lateiner 2000, who sees it as providing a cynical view of marriage. Bechtel 1995 sees the series as charting a gradual decline into moral degradation that foreshadows a similar movement of Lucius in Book 10.

penetration, this version luxuriates in the punisher's sexual subjectivity in a way that other sources do not.¹²⁴ Yet the miller's triumph is temporary, and he too is punished for his behaviour in a way which echoes that of the adulterous boy on whom he inflicted his own punishment (9.29–31).¹²⁵

Lucius introduces the miller's tale as a 'fable that in the end is exceptionally good' (*fabulam denique bonam prae ceteris*, 9.14);¹²⁶ the reader is set the challenge of deciding when the end of the story falls and what therefore the moral of the story is. Indeed the first-time reader is likely to be duped by this false conclusion into overinvesting in the moral authority of the miller, and to be compelled to reassess the position in the light of what follows.¹²⁷ In such ways, the work calls into question the reader's relationship to the stories told therein, and casts doubts on the reader's understanding of events and the lessons that are learned from them. The adulterous wife will get her comeuppance, and the narrative is introduced in terms of the superior wisdom that Lucius has come by through witnessing such events. Yet the justice effected by the husband is explicitly not that of Roman tradition, and leaves the husband in a morally ambiguous position, rendered himself adulterer, and then unexpected victim.¹²⁸ Even within the fictional context of the novel, Lucius' storytelling leaves the reader wondering whether any of the tales he has told are true and as they seem; inconsistencies between the versions and uncanny links between the stories make the witnesses and the tellers seem unreliable. The bold adulterer Philesitherus of the old woman's persuasive tale (9.16) does not correspond with the young pretty boy who subsequently appears in the miller's house (9.22), and his part in the narrative will end with attention drawn to this apparent metamorphosis (9.28).¹²⁹ Apuleius plays up to the reader's suspicion; Lucius is required to respond to potential protest from the 'careful reader' (*lector scrupulosus*, 9.30) by explaining precisely how he knows what he claims to know.¹³⁰

The miller's wife is characterised as a bad woman along familiar rhetorical lines, and as the enemy of *pudicitia*:

¹²⁴ His sexual subjectivity is discussed by Halperin 2002a, Walters 1993.

¹²⁵ Frangoulidis 2000.

¹²⁶ *Denique* may also mean 'finally' – after all those other tales in which the adulterous got away with it.

¹²⁷ Cf. the patterns of Val. Max. 6.1, as discussed in Chapter 3 above.

¹²⁸ Bechtle 1995 discusses the ambiguity and irony of the miller's speech, and the way it draws on Roman law, and suggests 'the automatic moral probity of correct behaviour is in this passage even more strongly queried than usual in the adultery tale' (116).

¹²⁹ See Frangoulidis 2000 on the changing roles of the characters within these stories.

¹³⁰ On this see Winkler 1985: 99–122.

nec enim vel unum vitium nequissimae illi feminae deerat, sed omnia prorsus ut in quandam caenosam latrinam in eius animum flagitia confluerant: saeva scaeva viriosa ebriosa pervicax pertinax, in rapinis turpibus avara, in sumptibus foedis profusa, inimica fidei, hostis pudicitiae. tunc spretis atque calcatis divinis numinibus in vicem certae religionis mentita sacrilega praesumptione dei, quem praediceret unicum, conflictis observationibus vacuis fallens omnis homines et miserum maritum decipiens matutino mero et continuo stupro corpus manciparat.

This most wicked of women lacked not even one vice; all shameful things had flowed straight into her soul as if into some filthy latrine. She was savage and difficult, a man-eater and a wine-drinker, stubborn and obstinate, grasping in disgraceful thefts, profligate in disgusting expenditure, the enemy of trust, adversary of *pudicitia*. Then, scorning and trampling the divine forces of the gods, in place of an established religion she had deceitful and sacrilegious confidence in a god who she claimed was unique, in made-up meaningless rituals she deceived all men and gave the slip to her unfortunate husband, subjecting her body to morning drunkenness and continual *stuprum* (*Met.* 9.14).

She appears as the conventional figure of an unfaithful wife, whose sins are the age-old ones of drinking wine (undiluted at that) and having sex with other men, in a textbook passage of invective.¹³¹ Indeed, the text immediately goes on to establish that she is a personal enemy not only of *pudicitia*, but of Lucius himself: ‘such a woman persecuted me with an extraordinary hatred’ (*talīs mulier miro me persequēbatur odio*, 19.15); this too casts doubt upon the accuracy of his vile portrait of her.

The exemplary tale which the *lena* tells to the eagerly transgressive miller’s wife is one in which the wife’s lover deflects the wrath of the jealous and suspicious husband through his ingenuity. What is noteworthy about the tale within a tale is how it plays upon traditional morality and narrative structures. The narrative humiliates the careful and protective husband and rewards the transgressors. In various respects the inner tale seems to be set up in deliberate opposition to its frame: unlike the miller’s wife, Barbarus’ wife, named *Arete* (‘Virtue’ in Greek), is both extremely attractive and in possession of her *pudicitia*; Barbarus (‘barbaric’, ‘unsophisticated’) guards her closely as a good husband should; he calls on the gods to strengthen his pledges, while the miller’s wife tramples the gods underfoot. The outer tale unwinds from a point of depravity – the drunken and vicious wife plotting adultery with her witchy adviser. The inner tale begins from a tight family unit with everything in its place: wife protected, slave loyal, husband in control, gods and legal punishments for transgression invoked:

¹³¹ See Richlin 1992a and Chapter 6 below.

hic uxorem generosam et eximia formositate praeditam mira custodela munitam domi suae quam cautissime cohibebat.

He had a well-born wife who was extremely beautiful, protected by an amazing level of vigilance, and whom he confined in his home as cautiously as possible (*Met.* 9.17).

It is an archetypal scenario held in place by conventional morality, yet susceptible to the conventional risks of a husband's obligatory absence:

Barbarus iste cum necessariam profectionem pararet, pudicitiamque carae coniugis conservare summa diligentia cuperet, servulum suum Myrmecem fidelitate praecipua cognitum secreto commonet suaeque dominae custodelam omnem permittit, carcerem et perpetua vincula, mortem denique illam lentam de fame comminatus, si quisquam hominum vel in transitu digito tenus eam contigisset, idque deierans etiam confirmat per omnia divina numina.

When this Barbarus was preparing to make an unavoidable journey, and desired to preserve the *pudicitia* of his dear wife as diligently as possible, he secretly gave strict instructions to his little slave Myrmex, whom he knew to be outstandingly loyal, and entrusted to him all guardianship of his mistress, and threatened him with prison and a lifetime in chains and finally a slow death from starvation, if he allowed any man even to touch her in passing with the tip of his finger, and he even confirmed this by swearing by all the divine gods (*Met.* 9.17).

So far we have a scenario ripe for tragedy – the cautious loving husband, the beautiful and untouched wife and the faithful retainer, whose happy unit we cannot but suspect is about to be blown apart during the husband's absence. Enter the young Philesitherus, blazing with desire for her beauty, further inflamed by her renowned *castitas*; we have a situation resembling that of a Lucretia at the mercy of a Sextus Tarquinius:

sed ardentem Philesitheri vigilantiam matronae nobilis pulchritudo latere non potuit. atque hac ipsa potissimum famosa castitate et insignis tutelae nimietate instinctus atque inflammatus, quidvis facere, quidvis pati paratus, ad expugnandam tenacem domus disciplinam totis accingitur viribus . . .

But the beauty of the noble *matrona* could not hide itself from the blazing vigilance of Philesitherus. And by that powerfully famous *castitas* itself, and the excessiveness of the extraordinary guardian, he was only further inspired and inflamed. Prepared to do anything it took, to undergo anything it took, in order to battle down the tenacious discipline of the home, he girded himself with all his weapons . . . (*Met.* 9.18).

The would-be adulterer approaches Myrmex, the guardian slave, offering him financial recompense if he will introduce him to his mistress. The slave's initial reaction is horror and resistance, and he runs away from this seducer.

However, this is no traditional exemplary tale, and the casual and comic cynicism of the genre begins to assert its influence over the narrative. From this point the fortifications of traditional sexual ethics, which looked so unimpeachable at the start of the narrative, are brushed aside as no more than a house of cards (9.19). Philesitherus is right to think that no one can resist the lure of money and that gold can open the door of the most impenetrable fortress (9.18). The indecent ease with which first the utterly loyal servant and then the chaste wife are corrupted once the promise of gold has been deployed is farcical. Fears of his master's wrath, of the threat of the prison, starvation and the vengeance of the gods pale beside the sheen of gold, the memory of which dazzles Myrmex and eventually entirely undermines his purpose. The wife falls far more quickly:

tunc devorato pudore et dimota cunctatione, sic ad aures dominae mandatum perfert. nec a genuina levitate descivit mulier, sed execrando metallo pudicitiam suam protinus auctorata.

Then abandoning his *pudor* and dismissing his hesitation, he carried the message to his mistress' ears. And as a woman she in no way deviated from her innate fickleness, but immediately agreed to hire out her own *pudicitia* for the accursed gold (*Met.* 9.19).

In this tale, *pudicitia* is a commodity (and a commodity for sale to the first buyer) corresponding to the wife's body and physical integrity; it is not, and perhaps could not be, given the wifely stereotype that the novel is developing, an inner moral fortification of the woman. Hence the humour of the husband's elaborate and excessive precautions – no external fortification would suffice to protect a wife who has no interest in being protected. The wife is *pudica* in the sense of being as yet untouched by another man, but there is no further value in such a state when the moral sensibility is entirely lacking; there is nothing really worth protecting. Therein also lies the humour of the suitor's preparations for assault, which are equally elaborate and excessive, given the ease of his victory. The characters in such tales are morally empty, motivated only by avarice, lust and fear. Equally, the account mocks the characters for their misguided adherence to outmoded values which end up not bringing them any profit at all.

The poignancy of the tale lies partly in the husband's repeated failure to take control of the situation and impose justice, despite being given every opportunity to do so. He returns home unexpectedly while the lovers are in bed together; his suspicions are aroused when he finds his door locked; Philesitherus accidentally leaves behind his sandals in the bedroom in his hurry to leave and when Barbarus finds these his suspicions are confirmed;

the following day he sets out with Myrmex in chains to apprehend the culprit. So far, everything is going his way, but his plan is thwarted; Philesitherus pre-empts him by rushing up to Myrmex in the street and accusing him of having stolen his sandals at the baths the previous day. 'Barbarus is completely taken in' (*ad credulitatem delapsus Barbarus*, 9.21) and both his suspicion and the tale are at an end. Vigilance bears no fruit and deception is on the other hand rewarded. Traditional structures of domestic power are broken down and the husband is impotent to regulate his wife's behaviour.

The response of the miller's wife to hearing this story to its conclusion is at once to begin preparations to entertain Philesitherus herself. In an ironic deployment of moral vocabulary, Apuleius calls her *pudica uxor* ('*pudica* wife') here (9.22), just as at the moment where she is cursing her husband for returning home early and wishing that he would break both his legs she is called *uxor egregia* ('excellent wife', 9.23), and at the climax of the tale, when her husband locks her out of the bedroom while he fucks her lover himself, she is called *pudicissima uxor* ('most *pudica* of wives', 9.28).¹³² Such startling misuse of language alerts us to what may lie beneath the glossy surface of domestic self-righteousness and self-satisfaction; the moral structures are not those we might have expected.

The miller returns far sooner than his wife was expecting and she is forced to hide her adulterer in a barrel, while her husband explains, in the second internal tale, why he has arrived home early. In this scene, both husband and wife loudly proclaim their disgust at transgressive sexual behaviour. First, the husband, explaining why he returned prematurely, sounds off about the scene of marital deception that he has just encountered, in which an apparently chaste and good wife was shockingly revealed as an adulteress, and appropriate punitive action taken:

'nefarium', inquit, 'et extremum facinus perditae feminae tolerare nequiens fuga me proripui. hem qualis, dii boni, matrona, quam fida quamque sobria turpissimo se dedecore foedavit! iuro per istam ego sanctam Cererem me nunc etiam meis oculis de tali muliere minus credere.'

'I hurried away in order to escape a wicked and outrageous deed of a fallen woman that I was unable to bear. Alas, great gods, that a woman so faithful and sober fouled herself with such shameful disgrace. I swear by this sacred Ceres, that even now I hardly believe my eyes about such a woman.' (*Met.* 9.23).

For the first-time reader of this work, the irony of the husband's outburst lies in the fact that while he condemns the unfaithful wife of another

¹³² See n. 104 above.

man, we know that his own wife is many times worse, and indeed all the while her lover is concealed in that very room. This is hammered home in the following paragraph where Lucius comments: 'unaware of his own, he relates the misfortunes of another man's household' (*ignarus suorum, domus alienae percenset infortunium*, 9.23). There is further irony in the fact that the fuller's wife he describes here is the opposite of his own – faithful and sober, while his is deceitful and drunk – and it is this that makes her crime particularly abhorrent:

contubernalis mei fullonis uxor, alioquin servati pudoris ut videbatur femina, quae semper secundo rumore gloriosa larem mariti pudice gubernabat, occulta libidine prorumpit in adulterum quempiam.

The wife of my fellow diner, the fuller, while in all other respects she seemed a woman of maintained *pudor*, who always, according to the boastful rumour, ruled her husband's home *pudice*, broke out in concealed lust for some adulterer or other (*Met.* 9.24).¹³³

However, further ironies will emerge as he tells his story and as the external story in which the miller is the protagonist unfolds, in which the reader's own naivety is mocked. There are inconsistencies in his account, in which he turns out not to have fled the scene in haste as his introduction suggests, but to have found the time to counsel and direct the people concerned. His wife's response is feigned moral outrage, so that she, like the wife in the story, seems full of *pudor* even as she is nurturing hidden lusts, maintaining a deceptive façade of *pudicitia*. She is vociferous about the need for brutal punishment for such women:

haec recensente pistore iam dudum procax et temeraria mulier verbis execrantibus fullonis illius detestabatur uxorem: illam perfidam, illam impudicam, denique universi sexus grande dedecus, quae suo pudore postposito torique genialis calcato foedere larem mariti lupanari maculasset infamia iamque perdita nuptae dignitate prostitutae sibi nomen adsciverit; addebat et talis oportere vivas exuri feminas.

While the miller was relating these events, the woman, who had already for some time been shameless and bold, was denouncing the wife of the fuller with curses: that woman was treacherous, that woman was *impudica*, she was, finally, a huge disgrace to the whole sex, who laying aside her *pudor*, trampling on the sacred trust of the marriage bed, had soiled her husband's hearth with the notoriety of the brothel, and, with a married woman's status already destroyed, adopted for herself the name of prostitute. She added that such women ought to be burnt alive (*Met.* 9.26).¹³⁴

¹³³ This soon-to-be-cuckolded husband boasting about his wife's excellence is an allusion to a traditional trope, especially as played out in Livy's version of Lucretia's story.

¹³⁴ Her indignation is like that of Lichas in Petronius' work, cf. n. 106 above.

Meanwhile Lucius, witness to his enemy's hypocrisy, keen to bring the story to a just conclusion by alerting the good miller to the presence of an adulterer in his home, is trying to work out how he can rescue the situation and expose the miller's wife (9.26).¹³⁵ Only the tips of Philesitherus' fingers or toes are visible from his hiding place (*extremos adulteri digitos*), just as, in the earlier tale, Barbarus prohibited any man from even brushing his wife with the tips of his fingers in passing (9.17: *in transitu digito tenus eam contigisset*); in passing Lucius takes the opportunity to stamp on them as hard as possible. The boy screams, his cover is blown, and the miller confronts him. Yet his response to finding an adulterer in his own house is not necessarily a conventional one. Far from exhibiting the horror that he had just claimed to have experienced in the face of a similar occurrence at someone else's house, the miller is calm, collected and, on the face of it, pleasant:

nec tamen pistor damno pudicitiae magnopere commotus exsanguis pallore trepidantem puerum serena fronte et propitiata facie commulcens incipit: 'nihil triste de me tibi, fili, metuas. non sum barbarus nec agresti morum squalore praeditus nec ad exemplum naccinae truculentiae sulphuris te letali fumo necabo ac ne iuris quidem severitate lege de adulteriis ad discrimen vocabo capitis tam venustum tamque pulchellum puellum, sed plane cum uxore mea partuario tractabo . . .'

However the miller did not seem particularly disturbed by this monstrous damage to *pudicitia*;¹³⁶ the boy was trembling and pale and he comforted him with a calm expression and a kind face: 'Fear nothing harsh from me, my son. I am not barbarous,¹³⁷ nor am I endowed with crude rustic morals, nor shall I follow the example of the ferocious fuller and kill you with the fumes of deadly sulphur, and neither shall I even summon you to execution under the stern hand of the law by invoking the law against adultery. You are such a charming and pretty little boy – clearly I shall share you with my wife . . .' (*Met.* 9.27).

This, in other words, will be a new departure for sexual morality and his response to the situation will not follow any of a number of different traditional patterns found in Roman cultural tradition that he runs through in this sinister little speech: simple rustic morals, *exempla*, or the law. The outer tale will then, initially at least, re-establish a husband's supremacy

¹³⁵ Although, as Frangoulidis 2000 points out, Lucius will inadvertently bring about his master's death, and his apparent ignorance of this emphasises our narrator's lack of real understanding of his own experiences.

¹³⁶ Note, once again, the irony; Philesitherus can only have inflicted 'monstrous damage on *pudicitia*' if his wife had *pudicitia* to begin with, whereas Lucius has introduced her as the enemy of *pudicitia*. Perhaps the fact that his house is not adorned with this quality goes some way towards explaining the miller's apparent indifference.

¹³⁷ Or equally, 'I am not Barbarus' – a reference to the enraged yet unsuccessful husband of the first internal tale.

over the errant wife and her lover, yet it will not follow the patterns of an exemplary anecdote (the slaughter of wife and lover) nor of contemporary legal procedure (trial and punishment).

The miller's claim that he and his wife always share everything amicably and that they shall all sleep together in one bed turns out to be a lie; what actually happens is that he shuts his wife out of their bedroom and keeps the boy for himself. Neither is it true that all is open between husband and wife and that everything is shared; nor is it true that the boy has nothing to fear. Finally comes the miller's moralising lecture to Philesitherus:

‘tu autem . . . tam mollis ac tener et admodum puer, defraudatis amatoribus aetatis tuae flore, mulieres adpetis atque eas liberas et conubia lege sociata conrumpis et interpestivum tibi nomen adulteri vindicas?’

‘But you, so soft and tender and still a boy, cheating your suitors of the bloom of your youth, are you running after women, and free ones too, joined in the bonds of marriage, and rejoicing in the title of adulterer before your time?’ (*Met.* 9.28).

When we encountered Philesitherus ourselves in the main narrative we discovered (perhaps with surprise) that he was very young – a mere boy, still with unshaven cheeks and therefore of an age when other men, themselves adulterers, will find him attractive (cf. *adulescens* at 9.23).¹³⁸ The implication of calling such men adulterers is that the boy is freeborn and that anyone who were to have sex with him would therefore be committing *stuprum*; thus in the final twist of the tale the husband himself will become a gleeful adulterer, taking advantage of the situation. The miller doesn't present himself as opposed to adultery per se – his gripe is merely that by devoting himself to the pursuit of women while he is not yet fully grown he is depriving adult men of the delights of his own body. This is rather an unexpected moral stance from this ‘good’ citizen; yet Lucius has introduced this as a morally improving tale.¹³⁹ We are required to shift our perspective, discard traditional ideals and take up a new moral stance.

¹³⁸ ‘The bold adulterer arrived – he was still a boy, resplendent in the seductive smoothness of his cheeks, still himself attractive to adulterers’ (9.22).

¹³⁹ 9.13. Walters makes the valid point that the miller's treatment of the boy does not reveal any kind of homosexual tendency or identity in him as we might understand it today (Walters 1993). The boy is introduced as someone to whom men would naturally be attracted – ironically *adulteri*, since this is what he is being; the desire is normal, not transgressive; it may be that to act upon it is morally transgressive, but perhaps it is justified in this case, since, as Williams points out, it can be seen to correspond with traditional punishment for adulterers (Williams 1999: 27 and 270 n. 67 for reference to *Hor. Sat.* 1.2.44 and 133 and *Val. Max.* 6.1.13). Halperin calls it a ‘scandalously witty’ denouement. If the behaviour is standard Roman punishment for adulterers then presumably this is neither surprising nor scandalous (and so not witty?), or perhaps it is combining two conventional ideas and making both look rather silly? In any case, the joke sours with the miller's death in the following section . . .

Many things in this collection of tales turn out to be not quite what they seem, and many people too: the chaste wife of the fuller, the wonderful husband-proof womaniser who turns out to be a young snivelling boy. During the course of these tales the persona of the 'good and exceedingly modest' miller (9.14) appears to shift from that of a decent, unwittingly cuckolded husband, to that of a canny manipulator of stories. He reveals more knowledge than a mere character within the text should. He betrays no surprise when Lucius' ruse reveals the hidden adulterer to his gaze. He seems to refer in his consoling speech not only to the story that he has just told, but also to the previous story at whose telling he was not present. One could believe that, in full cognisance of the situation, he had returned early and spun the story about the neighbour's wife himself just to spin out the torture of Philesitherus and torment his wife's conscience; he himself introduces the story by describing it as unbelievable. In short, he oversteps the generic boundaries that should separate author from character. Much of what he says is not borne out by the main narrative, as if he is competing with Lucius' (equally unreliable) narrative voice. Like Kevin Spacey's character 'Verbal' in the film *The Usual Suspects*, he is apparently the innocent victim of the plot until eventually revealed not only to be the plot's villain, but in fact to have been manipulating the whole plot himself from within its strands, so that the viewer is left wondering whether anything they thought they had seen could really have taken place. Are we really supposed to continue to think that he is the upright and modest citizen who was introduced to us? Is his treatment of the boy in no way morally dubious? His eventual death in sinister and supernatural circumstances can be read as an answer to these questions, but the answers are never conclusive.

The novel offers us a world in which interpretations of the content, reality or significance of narratives are always insecure, and there can be found no final authoritative position. The work is hyperaware of moral issues, but plays with the reader's expectations about justice and moral patterns. All the stories have as their central characters women who conceal from their husband their sexual adventures with other men. They all work with the premise that all women are adulterous even when (or especially when) they give the impression of being most virtuous. The inscrutable nature of women and the difficulty of reading *pudicitia* are the familiar assumptions upon which the work plays, yet the conclusions of the experiment are different from those we have encountered in [previous chapters](#). When every wife is (almost certainly) corrupt, when all around collude in concealing and abetting, and every story is likely to be a lie, there is no *pudicitia* to protect and no point in mounting a vigilant

guard over one's wife. While Plautus, Ovid and Phaedrus exploit the ambiguities inherent in the traditional understanding of *pudicitia*, the novels explore not the *dangers* of marital scrutiny and suspicion, but its *futility* and insincerity; all these sources urge the reader to rethink their moral positions with an eye to the exigencies of the real world and of the concrete and specific.

Declamation: what part of 'no' do you understand?

The previous chapters have demonstrated that *pudicitia* was a subject for hot debate and contestation in Roman society, posing provocative challenges to key distinctions and definitions in Roman thought and identity. It was therefore an ideal subject for declamation, which thrived on controversy and multiple interpretation – the most common type of declamatory exercise was called a *controversia*, where the declaimer had to argue either or both sides of an ambiguous case. It is unsurprising that *pudicitia* is a headlining issue in much of our extant declamatory source material.¹ A particular focus is the difficulty – crucial in a forensic setting, even a hypothetical one – of interpreting the behaviour of those people who find themselves the object of lust and attempted *stuprum*. How can one say 'no' so that rejection of another's advances is unambiguous? Does one have to kill one's lover or oneself? How far is one culpable when one is desired? The declamatory material often dwells on such situations where a more or less forceful expression of sexual interest has required someone to respond in such a way as to indicate best that they are not complicit in the relationship, and that their *pudicitia* is preserved. The sources work every which way to show how impossible it is for a person ever to make such a statement definitively, whatever their response is – opening up possibilities for the persuasive talents of the declaimer. Saying 'no' can never, while there is a persistent rhetorician around, be understood as an adequate rejection of another's attempts to inflict *stuprum* upon one, and indeed can be interpreted in many other ways – hence the title of this chapter.

Declamatory exercises were an integral part of Roman schooling for adolescent males, designed to test and hone the talents of the budding orator by setting them up to construct persuasive arguments around a controversial

¹ Calp. *Decl.* 2 and 3 are particularly preoccupied with *pudicitia*; in Sen. *Contr.* references to *pudicitia* cluster at the beginning of the first book (1.2, 1.3, 1.4 and 1.5) and then are found in 2.1, 2.3, 2.7, 9.1 and 9.4; the beginning of the *Minor Declamations* does not survive, but of the extant themes 247, 251, 262, 277, 306, 325, 329, 330, 343, 363 and 388 all make use of the concept of *pudicitia*.

topic.² Declaimers were expected to explore all possible areas of persuasion within a topic, to take on the personae of characters within the cases, and to anticipate the arguments of the opposite case. The expectation was that in due course they might make use of the skills they developed in declamation in arguing real cases before the lawcourts and delivering political speeches.³ Recent scholarship is in agreement about its central role in shaping the identity of the young male elite of Rome, although there is less consensus about precisely how the activity might have moulded Roman youth. Kaster suggests that declamation represents logic and simplicity cutting through the confusing mess that was Roman ethics – a boiling down of ethical values to the conventional, applied to even the most outlandish and challenging of situations, that could then be impressed, through reiteration, on the minds of young men.⁴ Meanwhile Gunderson argues a case for complexity, that declamation ‘functions so as to habituate people to submission to the law specifically within the context of a recognition that the law frequently produces impossible and contradictory situations’.⁵ Whilst a certain rendering down of moral questions to their pungent essentials is a central feature of declamation, I shall argue that the discipline revels in ethical complexities and conundrums, and seeks to explore the furthest corners of their paradoxes, in such a way that moral debates are indeed subordinated to rhetorical skill, yet in a manner that ensures that declaimers gain a deep understanding of the contradictions and issues at the heart of *pudicitia*, amongst other values. A training in rhetoric taught one both to create pithy statements and definitions, and that every such statement or definition was open to debate and contestation.

Declamation was a performative medium; indeed it seems to have been as much an opportunity for mature speakers to display their talents as a training ground for future orators (so the prefaces of Seneca’s *Controversiae* would have us believe at least). The declamatory texts that survive cannot therefore tell us the whole story about declamation; nevertheless, they provide a rich body of material for exploring the ways that the genre worked through and with Roman values and ideologies. Our earliest source, probably written between 37 and 41 CE, is a substantial work by Seneca the Elder, the *Controversiae*, addressed to his three sons, who, he claims, have asked him what he thinks about the famous declaimers who were his contemporaries, and requested that he collect for them any notable sayings from these men that he can remember, so that they might learn from them. This

² See further Kaster 2002: 318.

³ For more on this see the following chapter.

⁴ Kaster 2002: 325, with n. 20 which outlines some alternative recent approaches to the same issue.

⁵ Gunderson 2003: 228.

ten-volume work comprises a treatment of a great number of declamatory cases, with a substantial preface to each volume.⁶ Each individual theme is presented not as a whole *controversia*, but as a collection of citations from the greats, illustrating a selection of the most fruitful and ingenious ways of tackling the theme in all its rhetorical aspects (e.g. *color*, *divisio*, *sententia*): the heroes of declamation (and especially Porcius Latro) are held up by Seneca as models for his boys. Meanwhile, there survive, under the name of Calpurnius Flaccus, brief summaries of the key arguments of fifty-three declamations, probably from the second century CE, and, attributed in the manuscripts to Quintilian (probably wrongly, at least in the case of the *Major Declamations*), two collections of full declamations known as the *Minor Declamations* (hundreds of shorter treatments outlining how themes should be tackled) and *Major Declamations* (nineteen much longer and more detailed treatments).

As far as such sources allow us to understand, declamations take on some of the anxieties that have emerged from the sources we have studied so far and offer them up for the ingenuities of the trainee; speakers have to think hard and talk persuasively about how to reconcile the intentions of mind and the deeds of the body, about validity of different responses to adultery or to attempted *stuprum* or issues of possession, about the implications of pregnancy, sterility or widowhood. This chapter will focus in turn on three 'themes' that work through the ramifications of the concept of *pudicitia* in particular detail: the case of the prostitute princess (Sen. *Contr.* 1.2), the case of the soldier in Marius' army (Calp. *Decl.* 3, Ps. Quint. *Decl.* 3), and the cases of the wives who inherit from men who are not their husbands (Sen. *Contr.* 2.7, Quint. *Decl.* 325, with 323, 306, 330). However, there are plenty of other places too in the extant material where *pudicitia* is invoked in ways that cast light on its rhetorical power and flexibility.⁷

Since these are exercises for young men, adolescents, to prepare them for adulthood, modern readers have sometimes found it noteworthy,

⁶ Not all of the work survives; the prefaces to Books 5, 6 and 8 are lost, and to Book 9 incomplete, Books 3–5 and 8 survive only as excerpts, see Kaster 2002: 320 n. 7.

⁷ See e.g. Quint. *Decl.* 277 on the special concerns of *pudicitia* in pregnancy; 247 on *pudor* versus *pudicitia*; 286 on the consequences of rape for the appearance of *pudicitia*; 306 for complex functioning of *pudicitia* in widowhood, where the defence end up arguing paradoxically that in the circumstances of the case marriage would be a form of *impudicitia* (*est quaedam etiam nubendi impudicitia*), while widowhood becomes synonymous with *pudicitia*: 'she embraced her widowhood as if it were a form of *pudicitia*'; 330 on the overwhelming need for a wife to prove her *pudicitia* to her ex-husband, despite the difficulties she faces; 251 for *pudicitia* and sterility; Calp. *Decl.* 2 for the challenges of arguing for and against the *pudicitia* of a white woman who has given birth to a black child, yet claims that she has had sex with no one other than her white husband: the case for the prosecution elicits the *sententia* '*pudicitia* that is bound to perish cares not about the manner of its demise'.

even uncomfortable, that certain themes are so prevalent in the surviving material: adultery, rape, incest, murder.⁸ To some modern eyes such material, especially that pertaining to sexual behaviour, may not look like suitable material for young Roman boys in rhetorical schools. The lack of human warmth, and the light-hearted tone with which the themes are often treated, may also disconcert.⁹ This is the sort of apparent incongruity that should make a scholar's eye gleam: such themes were not incongruous for the Roman reader, and exploring how they might have worked will bring us closer to understanding the elite Roman mind. 'If we are to know the Romans', claims a recent monograph on the subject, 'then we must read their declamations.'¹⁰ We need therefore a shift of focus enabling us to respond to these Roman texts on their own terms. This is a key medium for dealing with important social issues in a systematic and detached manner, through rhetorical treatment of situations set in a fantasy world close to and yet apart from that of contemporary Rome.¹¹

The protagonists of rhetorical and declamatory exercises are usually unnamed, and their stories unfold in no specific place or time. Laws are cited – more often than not the whole declamation will hinge upon a cited law – and yet these often do not correspond with Roman laws found in the juridical sources. The world then is one of a fusion of cultures, of familiar elements with fantasy, which must have been as familiar to the Roman declaimers and their audiences as the world around them and as figures from their own history – as Roman in its own way as anything written in Latin, yet in no way an unproblematic reflection of Roman attitudes. There is considerable similarity between the worlds conjured up by the disparate genres of Roman comedy and Roman declamation.¹² They share stock characters and the recurrence of the same combination of unlikely and everyday situations. They are peopled by indistinguishable twins, pirates, pimps, courtesans, parasites, people who have been exposed by their parents at birth returning as adults to claim inheritance, rash young men in conflict with stern fathers. Stock scenarios include those of young couples coming to marriage under the shadow of the destructive force of a premarital sexual encounter, and husbands who return from long absences abroad to find that all is not well at home. However, these scenarios are deployed

⁸ See e.g. Bonner 1949: 41. Others argue that such themes were particularly pertinent to the moral education of young men; see Sussman 1994: 15, Kaster 2002.

⁹ For disconcertion see Packman 1999. ¹⁰ Gunderson 2003: 25.

¹¹ See Beard 1993 for the suggestion that declamation offers a Roman version of mythopoesis.

¹² For Roman comedy and *pudicitia* see Chapter 4 above.

to rather different ends;¹³ broadly, while new comedy sets up problems to be resolved in a communal catharsis, declamations set up problems that will exercise the ingenuity of the trainee public speaker. The subject matter is no less engaging and sensational than that of comedy, and entertainment was no doubt part of the intention.¹⁴

Declamation enclosed Roman men in a separate world where abstract ideas could be debated floating free of the constraints of Roman socio-political context. Meanwhile, Seneca's *Controversiae* evoke, in their introductory prefaces, another world in parallel to the fantasy world conjured up within the declamations. This purports to be a kind of representation of the 'real' world of the declaimers themselves in Rome (although avowedly a representation that is slanted to the instruction of Seneca's sons in how to become eloquent), and is an environment where the speakers are, on the contrary, hyperaware of social and political constraints. This world too is full of stereotypical heroes and villains – the great declaimers of Seneca's prime versus the lazy and corrupt youth of the day – and the concept of *pudicitia* plays a crucial role in characterising these extremes. In a well-known passage, Seneca caricatures the young men who are his sons' contemporaries as lazy and crippled by vices, and ends with the climactic: 'they are plunderers of other people's *pudicitia*, neglectful of their own' and 'never masculine except in their lust' (*expugnatores alienae pudicitiae, negligentes suae*, *Contr.* 1.praef.9; *nusquam nisi in libidine viris*, *Contr.* 1.praef.10). Such accusations, as we shall see in Chapter 6, are very much standard rhetorical tropes employed by orators themselves.¹⁵ Seneca's moralising preface draws close connections between moral standing, oratorical prowess and general fitness for Roman citizenship. The way a man talks and gestures in public, the way he addresses these hypothetical cases, these matters are of ethical concern. A speaker can be embarrassed by his topic, and *pudicitia* has the potential to implicate the declaimer in a way that no other topic does. It is possible to declaim immodestly, and in any case to stand up and speak in public is to invite scrutiny of one's own physical appearance and demeanour with a view to judging one's *pudicitia*, much as we have seen with women

¹³ For instance, whereas comedies are often driven by a couple's failure to recognise each other as partners in a premarital sexual encounter until the play's denouement, in declamation the two are clearly identified and the focus is on resolving the situation of premarital sex; see e.g. Sen. *Contr.* 2.5.

¹⁴ Indeed Romans themselves sometimes portrayed the content and practice of declamation as ridiculous, overblown and irrelevant; see, for instance, the parody in Petronius' *Satyricon*.

¹⁵ On *expugnatores* of their own and others' *pudicitia* see Chapter 6 below, especially notes 33 and 35.

in Chapter 1.¹⁶ The concept of *pudicitia*, then, provides a particular link between the context and the subject matter of declamation.¹⁷

Declamations are not the same as ethical debate. They do not purport to explore the grey areas of morality. They are, rather, tests of rhetorical ingenuity around controversial ethical issues. They exploit tensions, contradictions and uncertainties within Roman ethical thought to rhetorical ends. We will not find here a coherent picture of sexual ideology; there are discrepancies in moral stances and claims even between different declamations by the same author, making it clear that these are temporarily held, rhetorically expedient positions rather than personal declarations of moral stance. However, whilst we should not accept principles and values that emerge as necessarily representative of Roman ideas, or even elite Roman ideology, declamations certainly expose some of the problematics of sexual ethics, and the possible range of moral positions. They are founded on exploiting, to the ends of persuasion, the fact that there are debates and questions throughout Roman ethics about where to draw lines when it comes to *pudicitia*.

A declamatory case-study must set up a hypothetical situation whose ethical ambiguity provides some meat for the budding rhetorician to chew on. It should not be a straightforward matter to argue on behalf of a postulated defendant; the situation should represent a challenge for the skills of argumentation. What we see displayed and tackled in this kind of source are the tricky areas of ethics, where judgement must be guided by a range of competing factors, where it is at least hard, and probably impossible, to decide conclusively one way or another where right and wrong lie.¹⁸ The narratives and circumstances that these declamatory passages present are designed to be knotty and perplexing, to make it difficult to argue wholly convincingly for either side, and we must be careful always to bear this in mind. Some of the arguments are so long and thorough and powerful that it is hard not to be swayed by them into thinking that the case is closed.¹⁹ It is important to remember that no matter how persuasive the rhetoric of an argument, the point of each case is that it test the declaimer's skill. There must, therefore, have always been credible alternatives to the position taken by the speaker and plausible objections to the line that is

¹⁶ These aspects of public speaking will be further discussed in Chapter 6 in the context of Ciceronian oratory.

¹⁷ *Pudicitia* has a particular role to play in this, although there are other moral qualities that specifically make the transition between the two worlds, such as *honestas* and *honor*.

¹⁸ Cf. Gunderson 2003: 25: 'declamation is an ideal medium for the exploration of those topics about which there neither was nor could be a clear, authoritative position'.

¹⁹ I am thinking particularly here of the case of the Marian soldier as argued in Ps. Quint. *Decl.* 3.

argued. Some texts provide two or more aspects of an argument; sometimes assertions are contradicted elsewhere in the corpus or even in the work.²⁰ In all cases we should strive to be aware of the shadows of counter-argument if we are to take anything meaningful from these pieces about Roman ethical thought. The salient feature of declamation, both for the Romans and for us, remains the rhetorical challenges. Declamation deals in a series of irresolvable dilemmas in Roman social ethics and the focus in this chapter will be on those associated with *pudicitia*.

SENECA'S *CONTROVERSIAE* I.2: THE PROSTITUTE PRIESTESS

The first text I shall look at gives something of the flavour of the genre, blending as it does a colourful cast of characters, wild adventure, the threat of seedy sexuality, the sober setting of the forum and the selection of a priestess. It is an exemplary exploration of a particular theme or *controversia*, 'The problem of the prostitute priestess' that Seneca offers near the beginning of the first book of his *Controversiae* (it is the second sample theme of the whole collection). The context for the issue that the declaimer must address is conventionally summarised at the start of the piece. The declaimer is given a 'law' that must be invoked, and a brief narrative about the circumstances of a 'defendant' who is now on trial, and must then construct arguments on either side of the case.²¹ In this instance the law from which the declaimer must work during his treatment of this topic is that a priestess must be 'a chaste girl from chaste people, a pure girl from pure people' (*casta e castis, pura e puris*).²² Such a law cited at the beginning of the declamation will not necessarily have corresponded to an actual Roman law.²³ It is designed to be a simple statement providing the orator with an unwavering bottom line on whose foundations he may construct his argument. This disjunction between the legal reality of Roman society and the legal strictures laid down for declaimers serves from the outset to orientate our approach to the declamatory material. This is an avowedly hypothetical world where the organic confusion of Roman law is laid aside in favour of

²⁰ For instance, the argument that passion excuses a crime is used in many of the declamations but in Quint. *Decl.* 291 the argument against the husband is that he would not have killed his wife if he really loved her.

²¹ See Kaster 2002: 319–20 on the structure of Seneca's text. On *sententia*, *divisio* and *color* in the *Controversiae* see also Sussman 1978: 35–43.

²² For more on the precise semantics of these words see Introduction p. 30 above.

²³ In this case it is close to an actual law relating to the selection of Vestal Virgins (see Bonner 1949: 104); its logic would have been familiar to the ancient Romans, although it is not a genuine law.

a simplified system.²⁴ In general, declaimers play with one or two rules at a time, disregarding any other legal ramifications of a case. In addition, the question of the guilt or innocence of an accused is also disregarded, and the declaimer is at liberty to elaborate at will on any aspects of (i.e. lend *color* to) the bare facts of the case as stated in the preliminaries.

The bones of the narrative introducing *Controversiae* 1.2 are as follows (in a very slight amplification of the Latin): a virgin girl was captured and enslaved by pirates; she was then sold as a slave to a pimp who prostituted her in his whorehouse; she negotiated with her customers to give her payment without sex; a soldier turned up who would not co-operate; they struggled, he attacked her; she killed him; she was brought to trial for murder and acquitted and returned to her family. Now she is seeking to be selected as a priestess.

The people involved in the events are nameless (removing any possibility of association with actual Romans), and they conform to types – the virgin, the pirate, the pimp, the soldier – not only recognisable from many other declamatory texts, but also bearing a close relation to types found in other literary genres, particularly comedy, but also, for example, satire, biography, oratory. As in the case of the simplified ‘law’ and the brevity of the narration, this categorisation of the persons involved into types gives the declaimer a clear and uncomplicated starting point, as simple a framework as possible within which to construct his case.

The declaimer must argue – with reference to the law cited above (that a priest must be pure and chaste) – why she should or should not be considered for the position. This initial summary is matter of fact; there is no *color* – no slant or emotion or empathy – and little detail. It is one of the tasks of the orator to imagine how these events might have taken place and what the participants might have been feeling, to persuade the audience of the reality of his reconstruction, and to compel them thus towards a certain perspective on the affair. The first half of Seneca’s treatment (sections 1–12) is composed of citations from the declamations of fourteen different orators arguing the case against the girl, that, after all she has experienced, she is not eligible to become a priestess. He then moves on to a section on *divisio* (the advice of orators about how the arguments should be structured, 15–16), and then to the *color* of the opposite arguments on the girl’s behalf (17–21), before ending with some more general comments about obscenity

²⁴ The setting of this story both is and is not the city of Rome itself. The girl has been abducted by the pirates from her home, and Rome, not being a coastal city, does not suffer from this sort of problem. However, there are many elements recognisable from the Roman way of life: the slave auction, the brothel, the soldier, the trial process, the religious personnel.

in declamation and the need to maintain an appropriate dignity by treating sexual matters through allusion and implication rather than resorting to crude or graphic tactics.

All those who speak against the girl assume that her defence has been or will be that despite all she has been through she has not had sexual intercourse, remains a virgin, and on these grounds can be considered chaste and pure. Porcius Latro has the girl claim: 'nobody took my virginity' ('*nemo mihi virginitatem eripuit*', 1.2.1), while Marullus asks his audience to imagine her saying: 'nobody touched me' ('*nemo me attingit*', 1.2.2), Blandus: 'I am a virgin' ('*virgo sum*', 1.2.4) and Cestius Pius: 'I suffered nothing [sexual]' ('*nihil passa sum*', 1.2.8).²⁵ Altogether the text assumes a clear link between sexual purity and religious purity, although, as we shall see, some of the orators question this connection in their treatments. Almost all the treatments that Seneca cites suggest that the girl is unfit for priesthood because of the possibility of sexual pollution of some kind or another; pollution on grounds of her murder of the soldier is also referred to, but receives considerably less attention.²⁶

Although the cited law does not mention *pudicitia*, many of the orators whose declamations are remembered here make it a central feature of their case.²⁷ Against the girl there are directed two primary lines of argument, both of which exploit ambiguities in the concept of *pudicitia*. The first draws on familiar ideas about the fragility and unknowability of *pudicitia*; despite any claim she might make, we cannot be sure that she did not have sex, and indeed, some argue, it seems highly improbable that she managed to escape the lusts of the pirates, her pimp and all the customers at the brothel where she worked. In the second, the issues of whether or not *pudicitia* is identical to virginity, and whether there might be things other than penetrative sex that pose a threat to it (such as kisses, caresses or even association with the wrong kind of people), are invoked: even if, through all this, she did manage to preserve her virginity unscathed, this is not necessarily enough to guarantee that she is *pudica* and *casta*. The *divisio* suggested by Arellius Fuscus structures an argument that will cover

²⁵ For sexual connotations of *passa* see Chapters 2 and 3 above, pp. 118–19 and p. 173.

²⁶ Latro's opening line mentions the murder for shock value (1.2.1), and his *divisio* includes the question of whether she can still be called pure once she has been 'defiled by murder' (*homicidio coinquinata*, 1.2.14), while Romanus Hispo considers the killing as a separate issue (1.2.16). It is referred to briefly by Hispanus (1.2.2), Silo (1.2.5), Argentarius (1.2.6) and Gallio (1.2.12) and she is called 'bloodstained' by Marullus (1.2.2), while Asprenas suggests that it is because she has consorted with pirates stained with human blood that she herself was able to kill a man (1.2.9).

²⁷ Interestingly, Quint. *Decl.* 252 is on a very similar theme, but doesn't mention *pudicitia* at all, only virginity (*virginitas*).

all these bases: 'I shall prove that she is unworthy to be a priestess: first, even if she is *pudica*, next, because we don't know whether she is *pudica* or not, and finally, because she isn't *pudica*.'²⁸ The argument is structured around the difficulties both of preserving and of recognising *pudicitia*, and shows how central the concept of *pudicitia* can (be made to) be to the case and the assessment of a girl's fitness for religious position.

The first line of argument rests on assumptions about the fragility of *pudicitia* and the probability that under the circumstances it must surely have been destroyed. For the purposes of such an argument, *pudicitia* is closely identified with virginity. Cestius Pius expresses this scepticism brutally in his *narratio*:

non est credibile temperasse a libidine piratas omni crudelitate efferatos, quibus omne fas nefasque lusus est, simul terras et maria latrocinantes, quibus in aliena impetus per arma est; iam ipsa fronte crudeles et humano sanguine adsuetos, praeferentes ante se vincula et catenas, gravia captis onera, a stupris removere potuisti, quibus inter tot tanto maiora scelera virginem stuprare innocentia est?

It is not credible that pirates, made savage by every kind of cruelty, would have tempered their lust; for them, issues of right and wrong are a game, they are bandits on both land and sea, who make armed attacks on other people's possessions. Cruel in their very appearance, accustomed to take human life, carrying bonds and chains with which to restrain their captives – were you able to turn them away from *stuprum*, they for whom, among so many far worse crimes, to inflict *stuprum* on a virgin is an act of innocence? (*Contr.* 1.2.8).

This passage crudely dismisses the credibility of her claim that she has preserved her virginity from all comers; other declaimers are more subtle. Seneca's hero *Latro* suggests that despite her claim that she did not work as a prostitute when she was in the brothel, the signs available to the outside world were to the contrary: '“No one”, she says, “took my virginity.” Yet everyone came as if they were going to take it; yet everyone left as if they had taken it' (1.2.1). Marullus claims that the pimp's accounts still balance, as if she has been earning her keep as normal (1.2.2). Others suggest that the witnesses to her *pudicitia* are hardly themselves the most reliable of witnesses (at the same time reminding the listener of the company she has been keeping and her vulnerability to such company): 'A pirate, pimp or slave-trader would not have held themselves back even from a priestess.

²⁸ 1.2.16. Compare *Latro*'s *divisio*, which can be summarised as follows: on the question of whether she is *casta* or not, does *castitas* mean strictly 'being a virgin'? (a) if not, even if she has preserved her virginity, she has probably done other things that have compromised her *castitas*; (b) if it does, we cannot be sure that she is a virgin in any case (1.2.13).

Are these the guarantors we are to believe about a priestess' *pudicitia*?²⁹ The fact that *pudicitia* is hard to pin down and prove can be used to the advantage of this side of the argument in a number of ways. In the absence of evidence, an audience can be invited to allow their imaginations free rein in pirate ship and brothel: 'Among the barbarians what she suffered I do not know; but what she *might* have suffered I *do* know . . .' teases Latro, without needing to fill in the detail (1.2.1). Fulvius Sparsus invokes the idea that the subject matter of the case is unsuitable for the ears of the audience, and that there are some aspects of it that cannot be divulged, thus allowing the minds of the listeners to elaborate thrillingly on what might have been: 'What you did inside there we must not ask and we cannot know' (1.2.2). The truth of the girl's experiences is unknowable, but it is just as well, since they are not even a fit subject for enquiry; the distinction between unknowable and unspeakable is blurred.

One of the declaimers' prime strategies is to conjure up for their audience, in sordid light, particular aspects of what the girl has endured. A declaimer speaking against the girl must all but soil the listeners' minds³⁰ with his imaginatively shocking reconstruction of the events and places outlined so neutrally in the preamble to the declamation, and must leave them with the impression that the girl, too, has been soiled by her experiences. The opening line, one of the arrows from Latro's quiver, summarises this shock tactic: 'Your priestess would still be living in a whorehouse if she hadn't murdered a man' (1.2.1: *sacerdos vestra adhuc in lupanari viveret nisi hominem occidisset*). A little later in the first section of Seneca's text we find Latro charging the girl rhetorically with compelling him to touch on matters that should not be brought into such company: 'Why are you summoning me into the little cell and the obscene bed?' (*quid in cellulam me et obscenum lectulum vocas?* 1.2.1), in doing so precisely taking his own listeners into that foetid environment.

This is the only time in our extant sources when the daring suggestion is made that there is something purer and more precious than *pudicitia* itself. The second set of arguments works by teasing apart the concepts of *virginitas* and *pudicitia* (as physical and sexual) from those of *castitas* and *puritas* that are required of religious officials. Arellius Fuscus Senior pushes this idea to its extreme when he suggests that *pudicitia* might be all very

²⁹ 1.2.9. Cf. 1.2.10 and Blandus in 1.2.4.

³⁰ But he must not quite soil them, as Seneca makes clear towards the end of this piece, although it has to be said that, in reproducing for his sons' edification instances where declaimers have overstepped the mark in this regard, he is teetering on the line himself; cf. Richlin 1992a: 13–26 on the negotiation of obscenity in speech, esp. 16–18 on this passage.

well for an ordinary wife, but for a priestess the requirements are more stringent. 'Fear not', he tells her 'you are *pudica*. But that kind of praise is appropriate for a husband, not for a temple' (*non metue, puella, pudica es: sed sic te viro lauda, non templo*, 1.2.5).³¹ Cornelius Hispanus suggests that a priestess has special responsibilities regarding the qualities of *libertas* and *pudicitia* that mean that her relationship to them must be free from any taint: 'A priestess has to make offerings on behalf of freedom: will you entrust these to a captured slave? She must make offerings on behalf of *pudicitia*: will you entrust these to a prostitute?' (1.2.2). A candidate for priesthood should be the epitome of *pudicitia*, she can't be someone who has just scraped through.

More often the argument goes that this religious purity can be contaminated by contacts other than that involved in the loss of virginity, such as kisses, caresses, or even living in a brothel. Latro suggests one line of enquiry might be 'whether *castitas* only refers to virginity, or to abstinence from all shameful and obscene things', and continues: 'Suppose that you are indeed a virgin, but one who has been contaminated by everyone's kisses; even if you have not gone all the way to *stuprum*, you have still rolled around with men.'³² Another argument, that of Cestius Pius, goes: 'You stood as a girl in a whorehouse: already, even if no one has violated you, the place itself has violated you' (1.2.7). Junius Gallio claims that the pimp has forced her 'to live in a place in which, even if you may not have suffered *stuprum* yourself, you will have witnessed it' (1.2.11); merely to see the shameful things that take place in a brothel can be a polluting act.

The image of the prostitute is the antithesis of that of the pure virgin priestess, and the declaimers paint a picture of the girl as a slave and as a prostitute that ensures the audience will have trouble envisaging her in the opposite role. Vicinius describes the slave auction: 'She stood naked on the shore for the contempt of the buyer; every part of her body was inspected and handled.' The image is introduced by the indignant challenge: 'Do you think you are chaste because you became a courtesan unwillingly?'³³

³¹ And compare 1.2.8: "I suffered nothing", she said. This is adequate for a bride, but hardly for a priestess.'

³² 1.2.13: *utrum castitas tantum ad virginitatem referatur an ad omnium turpium et obscenarum rerum abstinentionem: puta enim virginem quidem esse te sed conrectatam osculis omnium; etiamsi citra stuprum, cum viris tamen volutatam*. In reading *abstinentionem* here I am following the 1974 Loeb edition of M. Winterbottom; the Teubner edition has *aestimationem*. Kiessling, in the 1967 Teubner edition of the text, reads *osculis* here, while the most recent Teubner edition has amended the text to *oculis*. I have followed the earlier reading, but if we take the plausible alternative *oculis*, the girl is polluted by being assessed by the eyes of all the customers to the brothel, which works too, although it is a more extreme claim. On the term *volutatus* relating to sordid sexual activity see Chapter 6 below, p. 302 n. 68.

³³ 1.2.3.

For those arguing this side of the case, it is important to emphasise that the indignities suffered by her body are more pertinent than any intention of the girl. Asprenas evokes a similar picture of shameful mauling: 'You lay in a pirate ship, you were caressed by someone's hand, by someone's kiss, by someone's embrace' (1.2.9), while Cestius Pius favours a scene in the brothel:

stetisti cum meretricibus, stetisti sic ornata, ut populo placere posses, ea veste quam leno dederat. nomen tuum pendit in fronte, pretia stupri accepisti, et manus, quae dis data erat sacra, capturas tulit. cum deprecaberis intransit amplexus, ut alia omnia impetrares, osculo rogasti.

You have stood among whores, you have stood dolled up so as to attract the punters, in a dress given to you by a pimp. Your name has been hung up outside, you have accepted payment for *stuprum*, and the hands that you wished to dedicate to the gods accepted unclean profits. When you warded off the embraces of a man who came in, so as to obtain all the rest you traded a kiss (*Contr.* 1.2.7).

Part of the implication is that even if she bought her virginity, she must surely have traded other things – he envisages her offering her clients kisses in place of sex. This aspect of negotiation ties in with a line of argument about the effect that her experiences will have had upon the nature of the girl herself. Even if she has not actually become a whore, she might nevertheless be held to be contaminated by association, as Asprenas argues:

conservarum oculis inquinatur, inter ebriorum convivarum iocos iactatur modo in puerilem, modo in muliebrem habitum composita; istinc ne patri quidem redimenda est.

She is polluted by the kisses of her fellow workers, tossed among the jokes of drunken banqueters, dressed now in boy's clothes, now in those of a woman: by now not even her father would pay her ransom (*Contr.* 1.2.10).

Having been trained as a whore she has taken on whorish qualities that do not stand well upon a priestess: 'She was welcomed by the kisses of courtesans, she was taught how to charm and all the different ways of moving her body' (1.2.5). The killer blow: the very persuasive skills that enabled her to talk her way out of having sex with her customers are themselves suspect:

'omnes' inquit 'exorabam': si quis dubitabat, an meretrix esset, audiat, quam blanda sit. haesisti in complexu: osculo pacta es; ut felicissima fueris, pro pudicitia impudice rogasti.

'I negotiated with everyone', she said. If anyone doubted whether she was a courtesan, let him hear how charming she was. You clung to his embrace, you traded kisses;

as exceptionally lucky as you were, you still had to plead unchastely [*impudice*] for your *pudicitia* (*Contr.* 1.2.12).

This passage throws up a paradox, highlighted by the juxtaposition of the terms *pudicitia* and *impudice*, that the girl has been able to preserve her *pudicitia* only by using means that, by their very nature, render her less than *pudica*. ‘You will surely admit’, Asprenas challenges the girl, ‘that your *pudicitia* has been obtained by dodgy means.’³⁴ Her *pudicitia* has been maintained through negotiation, and in order to protect her virginity she has had to employ the skills of a prostitute, she has had to barter with her visitors, offering them kisses (perhaps more shameful acts, although it is not seemly to imply this).³⁵ She has had, finally, to kill a man, and those who speak against the girl seize on this as a horror: ‘I owe my priestess’ *pudicitia* to the fact that she is also a butcher!’ (*pudicitiam sacerdotis meae etiam carnifici debeo*, Asprenas, 1.2.10). And Latro has it both ways: ‘What a noble defender of *pudicitia*: “I killed a soldier”! Well, you didn’t kill the pimp, did you?’ (1.2.1). Not only does he represent killing the soldier who wouldn’t take ‘no’ for an answer as an ignoble way of protecting her *pudicitia*,³⁶ but he also wonders, in the next breath, why, if her *pudicitia* was so important to her, she hadn’t killed the pimp who was placing her in this invidious position.

A final angle in the case against the girl is the suggestion that she is tainted by the very fact that her *pudicitia* has been called into question: ‘No woman is *pudica* enough if questions are asked about her’ (*nulla satis pudica est de qua quaeritur*, 1.2.10).³⁷ This *sententia* leans on the traditional idea that *pudicitia* must be protected from even the slightest hint of suspicion, and that to leave oneself open to accusation is almost as bad a crime as actually committing *stuprum*. We have seen this notion at work in the *exempla* of Valerius Maximus (discussed in Chapter 3 above), and it is also explored at length in Seneca’s *Controversiae* 2.7, discussed below.

By contrast, the opposing side will emphasise the equally traditional need to put *pudicitia* to the test and to publicise the quality before the community,

³⁴ Her *pudicitia* is *precaria*, i.e. obtained through begging and pleading, with some of the sense of the English word precarious – unstable. 1.2.10: *illud certe fateberis, pudicitia tua precaria est*. Latro too asks: ‘What am I supposed to think of a priestess whose *castitas* is so precarious?’ (1.2.1).

³⁵ See sections 21–3 for innuendo about anal sex and masturbation that Seneca claims to frown upon, whilst simultaneously bringing to our attention.

³⁶ For more on this theme see the discussion of the declamations about the soldier in Marius’ army below.

³⁷ Cf. 1.2.1: ‘here the *pudicitia* of a priest is in question’; 1.2.9: ‘are we to believe such witnesses to the *pudicitia* of a priest?’.

and will argue that this is what the strange chain of events has done. Moreover, when speaking in support of the girl, to persuade an audience that she is chaste and pure and suitable for the priesthood, the declaimers tend to direct their audiences' minds towards a different mental tableau: not the pirate ship, the slave auction, or the parade of prostitutes, but the moment where the girl repels the attack of the importunate soldier by killing him with his own sword.³⁸ The scene is described in terms that recall traditional tales about threats to, and defence of, *pudicitia*: according to Albucius' version, the soldier has a wild and violent mind,³⁹ he rushes at her threatening her and wielding a sword (1.2.18); Argentarius' version has him wooing the girl first before he resorts to violence,⁴⁰ and dying as he speaks (1.2.19); he attempts to pollute her (1.2.20).

A key line of approach, as suggested by Fuscus (1.2.16) and followed by several others, is that so extraordinary are the chain of events that befall the girl, and so miraculous is her preservation of *pudicitia* in such circumstances, that superhuman powers must surely be involved: the will of the gods must have intervened on the girl's behalf.⁴¹ Indeed the gods intended to produce a miracle, a triple paradox: 'freedom in a captive, *pudicitia* in a prostitute, innocence in a murderer' (1.2.17: *in captiva libertatem, in prostituta pudicitiam, in homicidio innocentiam*). They must have been preserving her for their own purposes – that is, a priesthood. Triarius makes a meal of the supernatural element:

negabat se puella fecisse; negabat illum suis cecidisse manibus: altior, inquit, humana visa est circa me species eminere et puellares lacertos supra virile robur attollere. quicumque estis, dii immortales, qui pudicitiam ex illo infami loco cum miraculo voluistis emergere, non ingratae puellae opem tulistis: vobis pudicitiam dedicat quibus debet.

The girl denied that she had done the deed; she denied that he had died by her hand; a higher than human manifestation, she said, seemed to appear around me, and lifted a maiden's arms to ultramanly strength. Whoever you were, immortal gods, who willed *pudicitia* to emerge from that infamous place as a miracle, you have brought help to a grateful girl: she dedicates *pudicitia* to you to whom she owes it (*Contr.* 1.2.21).

³⁸ This element of her case – killing a soldier who is making sexual advances – is very similar to that of the Marian soldier, discussed in the following section, although the context is very different: the military encampment versus the brothel. In the latter case, one might argue, a man might be forgiven for trying to have sex with a girl that he has encountered there, and for believing her to be a freely available prostitute. To accost a soldier at his watch however is a rather different and more shocking matter.

³⁹ See Chapter 2 p. 104, also Chapter 6 below on Verres.

⁴⁰ See above Chapter 2, pp. 89–90, 99, III.

⁴¹ Cf. Chapter 1 above for miraculous intervention in the cases of Tuccia and Claudia Quinta.

Here *pudicitia* is described as a gift to the girl from the gods, who took possession of the girl and endowed her with the physical force to kill the man. Her *pudicitia* is owed to them, and therefore she wishes to dedicate it to their service, hence her desire to seek the priesthood (which is not otherwise explained or even addressed elsewhere). For the purposes of this argument, *pudicitia* is envisaged as virginity and is a physical attribute: what the girl owes to the gods is not any kind of moral force, but the physical status of remaining unharmed by *stuprum*.

A vivid scene from Albucius' contribution to the declamation conveys several aspects of the argument:

nescio quis feri et violenti animi venit, ipsis credo dis illum impellentibus, ut futurae sacerdotis non violaret castitatem sed videret. praedixit illi, abstineret a sacro corpore manum: 'non est quod audeas laedere pudicitiam quam homines servant, dii expectant.' et in perniciem ruenti suam 'en' inquit 'arma quae nescis tenere pro pudicitia', et raptum gladium in pectus piratae sui intorsit. hoc factum eius ne lateret eisdem dis immortalibus fuit curae: accusator inventus est qui pudicitiae eius in foro testimonium redderet. nemo credebat occisum virum a femina, iuvenem a puella, armatum ab inermi: maior res videbatur, quam ut posset credi sine deorum immortalium adiutorio gesta.

Someone came with a wild and violent mind, driven, I believe, by the gods themselves – not so that he would violate the *castitas* of a future priestess, but so that he would witness it.⁴² She had already told him to take his hand from her sacred body: 'You must not dare to harm *pudicitia* that mortals are protecting, and the gods are anticipating.' And as he rushed to his doom: 'Behold', she said, 'the weapons that you do not know how to wield on behalf of *pudicitia*',⁴³ and seizing the sword she twisted it in the pirate's heart. The same immortal gods were concerned lest this deed of hers should lie hidden: an accuser was found who would bring testimony of her *pudicitia* into the forum. No one would believe that a man had been killed by a woman, a young man by a girl, an armed man by someone who was unarmed: it seemed a deed too great to be credible without the help of the immortal gods (*Contr.* 1.2.18).

In this line of argument, the gods wished to make this event widely known in order to manifest and publicise the qualities of *castitas* and *pudicitia*

⁴² If we read *videret* here, following the Teubner text of Kiessling 1967; an alternative suggestion, adopted by Winterbottom 1974: 80, is *ostenderet* ('so that he would show it'), which conveys a similar idea, and is perhaps a more plausible suggestion. The most recent Teubner version (BTL CD-Rom) has *vindicaret*.

⁴³ This is my own interpretation of the line, which the Loeb translation renders: 'you do not realise that it is in the cause of chastity that you carry [your sword]' (Winterbottom 1974: 81). I read her words as a reference to the traditional idea that soldiers should be fighting to protect the *pudicitia* of their own citizens and not plundering it, such as we find in Livy 39.15.12–14 (see Chapter 2 above, p. 120).

(closely associated in this version of the story). Such was the divine purpose for the murder and the court case: 'an accuser was found who would bring testimony of her *pudicitia* into the forum'. This notion that *pudicitia* belongs in the public space of the forum, and should be displayed there, and that the best way of proving *pudicitia* is by some act of violence is very close to that found in the traditional tales of Livy and Valerius Maximus.⁴⁴

Cestius Pius argues that the three qualities required in a priestess – *pudicitia*, innocence and *felicitas* ('being blessed by the gods') – are all demonstrated by the various events that the outline of the case summarises; 'how *pudica* she is, the soldier makes plain' (*quam pudica sit, miles ostendit*), just as her acquittal proves how innocent she is and her return home proves how fortunate (1.2.19). Silo Pompeius, too, argues that the sordid adventures that the girl underwent were all ways of putting her qualities – those of *libertas* and *pudicitia* – to the test.⁴⁵ The fact that she emerged from all these trials untouched is a testament to her ability to resist corruption of all sorts, rendering her eminently suitable for a priesthood:

eam vobis sacerdotem promitto quam incestam nulla facere possit fortuna. potest aliquam servitus cogere: servit et barbaris et piratis, inviolata apud illos mansit. potest aliquam corrumpere prolapsi in vitia seculi prava consuetudo, etiam matronarum multum in libidine magisterium: pudica permanebit. licet illam ponatis in lupanari: et per hoc illi intactam pudicitiam efferre contigit. fuit in loco turpi, proboso; leno illam prostituit, populus adoravit: nemo non plus ad servandam pudicitiam contulit quam quod ad violandam adtulerat. multum potest ad flectendum quoque pudici animi propositum hostis, gladius: non succumbet, immo si opus fuerit pudicitiam vindicabit. incredibilem videor in puella rem promittere? iam praestitit.

I promise you a priestess whom no twist of fortune can render unchaste. Slavery can compel some women – yet she was a slave to both barbarians and pirates and she remained inviolate among them. The depraved habits of the age can corrupt a woman to slide into vices, even *matronae* have plenty to teach on the subject of lust – yet she will remain *pudica*. You can place her in a whorehouse – even throughout this she managed to carry out her *pudicitia* untouched. She was in a filthy, shameful place; a pimp prostituted her, the people accosted her – yet no one spent less preserving *pudicitia* than he had brought to violate it. An armed enemy can have a powerful effect on the determination even of a *pudicus* mind: she will not succumb; indeed, if needs be she will avenge *pudicitia*. Do I seem to be promising something incredible in a girl? She has already accomplished it (*Contr.* 1.2.20).

⁴⁴ See Chapters 2 and 3 above.

⁴⁵ For the relationship between *libertas* and *pudicitia* see above Chapter 2.

For the purposes of this argument, *pudicitia* is a moral quality that resides consistently in a person, to be exercised whenever the situation demands it. Indeed specific mention is made of the girl's *pudicus animus* – a clear indication that *pudicitia* is held to reside in the mind as well as in the body. *Pudicitia* is envisaged here partly as a form of mental resistance, the resolution to face down violent threats. The fact that the quality has persisted thus far in this girl is grounds for predicting that she will be more than equal to any future threats; the circumstances that have brought her to this point prove that she will be a champion of *pudicitia*, as she has been before, should the need arise again.

Between them, the arguments mustered on both sides of the case explore and exploit almost all the possibilities of the concept of *pudicitia*. Uncertainties about whether *pudicitia* is coextensive with physical freedom from sexual penetration (whether this is virginity, as here, or marital fidelity, as in other cases), or with mental moral strength, are exploited to various ends; where it serves, declaimers argue that to put *pudicitia* on trial is already to compromise it, where it does not, they argue that *pudicitia* can only be adequately proven through public trial; some claim that *pudicitia* in the mind raises a person above the sordid experiences of the body, others that the body's experience is the only thing that really matters. A work such as this, that distils the colourful and pithy ventures of the greatest public speakers of Seneca's day, and places the most potent extracts side by side, makes it abundantly plain just how flexible a concept *pudicitia* is. There is no question that it is a requirement for a woman standing as a candidate for a priesthood, and that it is intimately related in some way to the legal requirements of purity and chastity, that it is susceptible to the lusts of men, to avarice and to misfortune; but what precisely it is, and how it may be threatened, destroyed, preserved, tested, vindicated or compromised are all questions laid open to the ingenuity of the declaimer.

The views expressed in this text are not so much moral positions as examples of ways in which words and values and ideas can be represented in different ways to serve different rhetorical aims. Nobody cares about the fate of the girl or the state of the priesthood, because they do not really exist. Nonetheless, the material inculcates awareness of the ramifications of taking a particular stance on *pudicitia*, which might have prepared those who delivered or listened to such declamations for their encounters with real-life occasions where *pudicitia* mattered. Declaimers have their gruesome fun with *pudicitia*, but in doing so trace out actual grey areas in Roman ethics.

MILES MARIANUS: THE SOLDIER IN MARIUS' ARMY (CALP.
DECL. 3 AND PS. QUINT. DECL. 3)

This deliberate, enjoyable, yet dispassionate manipulation of moral concepts sets declamation apart from other, more partial genres; where the content is shared between more than one genre we can see more clearly how this works. In Chapter 3 we saw Valerius Maximus' version of the story of Marius' decision to acquit of murder the soldier in his army who killed the commanding officer who was propositioning him.⁴⁶ As one would expect from an *exemplum*, the event is historically located (although it is appropriately imprecise on detail) – it is said to have taken place during the war against the German tribe the Cimbri; the murder and trial have been tentatively dated to 101 BCE.⁴⁷ The story is also cited as an *exemplum* twice in Cicero's works (*Inv.* 2.124 and *Mil.* 9), and is mentioned by Quintilian (*Inst.* 3.11.14) and Plutarch (*Mar.* 14.3–5), suggesting that it had an enduring place in Roman oratory, dramatising as it does the dilemma of under what circumstances a murder may be justified. Its force as an *exemplum* relies on the fact that hindsight resolves any dilemma: we know about Marius' judgement in favour of the soldier and of the sanctioned moral stance that this enacts; we are always on the side of Marius and the soldier, and the murder is always ultimately vindicated. As an *exemplum*, the soldier's killing of his tribune appears as a bold action on behalf of *pudicitia*.

Unusually for a historical event, the murder trial is also the basis of a declamatory topic which we find treated by Calp. *Decl.* 3 and Ps. Quint. *Decl.* 3. In these works the task of the declaimer is to take a step back in time and to persuade Marius to come to his decision, or, occasionally, to the opposite decision;⁴⁸ the dilemma is rekindled for the purpose and the story loaded with controversy once more. The topic drives a wedge into one of the key issues found in our sources: how should one deal with the situation when someone attempts to inflict *stuprum* upon someone else? Both this and the following section discuss texts that dig deep into the complications involved in saying 'no' to sexual advances in ancient Roman thought. We have already seen, in Seneca's *Controversiae* 1.2, the sneers of declaimers at the idea of the girl wheedling her way out of having sex with punters; to bring out the girl's *pudicitia* one must focus on the killing

⁴⁶ Val. Max. 6.1.12, for discussion see Chapter 3 pp. 145–51 above. ⁴⁷ Sussman 1987: 247.

⁴⁸ The only evidence of how this counter-argument might have been constructed is a pair of brief sentences in Calp. *Decl.* 3 discussed below, and a longer treatment included with Ps. Quint. *Decl.* 3 in some manuscripts, probably from a much later date.

of the soldier, not the bargaining with the other men. These texts invoke the same ideas. One of the key planks of the defence will be that simply saying 'no' is not an adequate response to attempted *stuprum*, and indeed that anyone who rests their resistance there is laying themselves open to suspicion.

Calpurnius Flaccus offers a very brief outline of possible arguments on either side of the theme:

Miles Marii adulescens propinquum Marii tribunum vim sibi inferentem peremit. reus est caedis.

'propinquus' inquit, 'imperatoris occisus est.' macte virtute adulescens, et Marium vindicasti. ubicumque periclitatur pudicitia, suam legem habet. quid agis, tribune? tibi nondum vir est qui Mario iam miles est? non longe ab eo est miles, ut promittat stuprum, qui rogatus tantummodo negat. crede imperator male de te iudicasset miles tuus, si tribuno pepercisset. hanc vim Verginius parricidio fugit, propter hanc Lucretia pectus suum ferro fodit. pudet me imperator: feminae exemplis militem tueor. stuprum minatus est militi tuo: minus est quod nobis Cimbri minantur.

Pars altera:

miles tuus, imperator, iam aliquid impudici habet quod ad impudicitiam placet. tu gladium commilitonis tui cruore tinxisti quem satis fuit minari.

A soldier of Marius, a young man, has killed a relative of Marius, a tribune who was attacking him.⁴⁹ He is accused of murder.

'A relative of the general has been murdered', he says. Well done, young man, you have vindicated Marius himself. Wherever *pudicitia* is imperilled, she has her own laws. What are you doing, tribune? Do you consider him not yet to be a fully grown man, when Marius has judged him a soldier? A soldier is not far off offering his full consent to *stuprum*, if when he is approached he does no more than refuse. Believe me, general, your soldier would have judged you very badly if he had spared the tribune. Verginius fled this kind of violence through murder of his own child, Lucretia, on account of it, buried a sword in her own breast. General, I am ashamed: I am defending a soldier with examples of women. He threatened your soldier with *stuprum*: the Cimbrians threaten us with less.

The other side of the case:

Your soldier, general, must already have had some *impudicus* quality that invited *impudicitia*. You have tainted your sword with the blood of a fellow soldier, when it would have sufficed merely to threaten him (Calp. *Decl.* 3).

Calpurnius provides a clear and concise introduction to some of the key issues of the case in the form of a series of provocative *sententiae*: *pudicitia*

⁴⁹ Note that there is no specification of sexual assault in this brief summary; however, since the story is well known, and in the light of the passage that follows, it must be assumed.

has her own laws ('all's fair in *pudicitia* and war'); to do no more than verbally refuse *stuprum* is tantamount to encouraging your assailant ('no' means 'maybe'); the soldier must have been 'asking for it'. (The first two lines are developed at length in the other treatment that we possess of this theme, Ps. Quint. *Decl.* 3, a full-length declamation arguing with passion and detail in defence of the killer, which is an excellent showcase for *pudicitia* and its troubling aspects.) Here, the case's historical setting is alluded to, and explicit reference is made to the precedents of Lucretia and Verginius; the significance of this will be discussed in a moment. Calpurnius' outline also alludes to the uncertain status of the murderous soldier at the centre of the case (is he a boy, an adult man, a tough soldier?); the related discomfort associated with treating the subject of a soldier's sexual vulnerability; the risk of being compromised by another's sexual attention and the consequent need to deal very firmly with attempted *stuprum*. Meanwhile the Major Declamation's extended treatment of the topic argues further both that *pudicitia* is a persistent character trait that will be reapplied in different situations (as in the defence of the prostitute priestess discussed above), and that *stuprum* is in itself morally corrosive and will lead to prostitution – once you have fallen you will become publicly sexually available to all.⁵⁰

The arguments allotted to the prosecution in Calpurnius' text are fewer, but they at least offer us some insight into why the case might not be entirely straightforward. They are two: (a) something about the soldier must have encouraged the tribune's advances, must have given the older man reason to think that he would be receptive to the idea of sex (otherwise why would he have done something so risky?); (b) really, it would have sufficed merely to have brandished the sword and threatened violence to the tribune, it was not necessary to slay him then and there (perhaps undermining the previous argument). These counter-arguments intersect with the issues of the other side: the fragility of the position of a man who is the object of another's sexual attention and the question of the legitimate response to attempted *stuprum*.

The historical setting, to which both the texts draw attention, works in a number of ways to lend this case particular resonance, tying its events into an exemplary framework that links past, present and future in a causal chain. The case is rendered indisputably Roman and relevant in Ps. Quint. *Decl.* 3 when the declamation calls on an exemplary tradition that is shared

⁵⁰ For this trope see also Chapter 7 p. 326 below.

with the contemporary audience, citing as precedents the cases of Lucretia and Verginius:

dicam nunc ego praecipuam semper curam Romanis moribus pudicitiae fuisse? referam Lucretiam, quae condito in viscera sua ferro poenam a se necessitatis exegit, et, ut quam primum pudicus animus a polluto corpore separaretur, se ipsa percussit, quia corruptorem non potuit occidere?

Need I say now that there has always been particular concern in Roman morality (*mores*) for *pudicitia*? Need I mention Lucretia, who, burying the steel in her entrails, exacted the punishment from herself for something she had been forced to do, and, so that a *pudicus* soul might be separated from a polluted body as soon as possible, struck down herself, because it was not possible to kill the corruptor? (Ps. Quint. *Decl.* 3.11).⁵¹

Later, the declamation calls upon other, more recent *exempla*, also familiar from Valerius Maximus 6.1:⁵²

an ignoramus, imperator, quanta quondam populi Romani exarserit seditio, cum ex domo fenerationis addictus lacero verberibus tergo prorupisset in publicum, et illas supplicorum notas tulisse se queretur, quod vim corruptoris pati noluisset? . . . quid de Fabio Eburno loquar, qui filium inpudicum cognita domi causa necavit?

Can we be unaware, general, of the extent of the sedition that once blazed in the Roman people, when a debt bondsman burst forth from his creditor's house into the open with a back lacerated with blows, and he complained that he had borne these marks of punishment because he had not wanted to put up with his corruptor's attack? . . . Why should I mention Fabius Eburnus, who killed his *impudicus* son after having convicted him in a domestic court? (Ps. Quint. *Decl.* 3.17).

The historical perspective allows for argument on the grounds that both Marius and the tribune will become, in their turn, *exempla* for future generations, for better or for worse depending on the general's decision. The declaimer of Ps. Quint. *Decl.* 3 urges Marius to acquit the soldier by suggesting that if he does so the story will be Marius' own story and 'his *exemplum* will become your own' (*quod miles fortiter fecit, si absolvis, tuum exemplum est*, 3.15). If he convicts the soldier, on the other hand, he will be setting a precedent for a new kind of offence – that of sexually accosting a soldier – and become an *exemplum* of vice. Indeed the piece opens by suggestion that

⁵¹ Several of the themes developed in the ancient sources that we have seen in earlier chapters, such as the deliberate splitting of *animus* from body, the question of the extent to which Lucretia's death should be understood as punishment for an unwitting crime, and the relationship between killing oneself and killing one's *corruptor* are deliberately pointed up in this passage. Cf. Chapter 2 pp. 93–5 and Chapter 3 pp. 173–8 above.

⁵² Val. Max. 6.1.9 and 6.1.5. See Chapter 3 above, pp. 140–53.

this *exemplum* has already taken root: 'an eternal degeneration entrenches itself, and this novel crime has drawn attention to itself as an *exemplum* after which vices will very easily proliferate' (*haeret aeterna labes, et in exemplum, in quod facillime vitia proficiunt, nova culpa pernotuit*, 3.1). Such claims must have imparted a frisson to a Roman audience which knows that the case of Marius and his murderous soldier has indeed become a powerful *exemplum* in its own posterity and their present. Hindsight adds depth to the argument and the judgement, and this case must also have had a particular significance for the Roman present in invoking ideas of causation and historical development; it highlights the responsibility of the declaimer and the power of rhetoric. It also creates a sense of ongoing moral conflicts that belong to the present day as well as to the historical moment in which they are set.⁵³

A defence of the soldier must place the highest premium upon *pudicitia*, in order that it may be called upon to justify the murder of one's military superior. Thus, in the rhetoric of Ps. Quint. *Decl.* 3, succumbing to *stuprum* is represented as a worse fate than death,⁵⁴ and by the same token *pudicitia* is more important than life itself.⁵⁵ The speaker begs Marius, as adjudicator, not to allow himself to be seen to place limits upon *pudicitia*: 'May your divine virtue, great commander, not allow a man who is both a Roman and a soldier to be, in your judgement, too *pudicus*' (*nec tua, summe imperator, divina virtus sinat, ut tua quoque sententia quisquam vir, et Romanus et miles, nimium pudicus sit*, 3.2).⁵⁶

Calpurnius' rubric deliberately characterises the killer as a youth by using the term *adulescens*. This term evokes a time in a Roman male's life when he might be expected to be an object of sexual interest – adolescence is, in Pliny's term, a 'slippery age'.⁵⁷ Adolescence is also 'slippery' because it is a time when a Roman male spans different age categories in a way that renders him hard to define socially: he is at once 'man' and 'not-yet-man' (*vir* and *nondum vir*), and the declamation plays on this ambiguity. The

⁵³ On this see Gunderson 2003.

⁵⁴ And the last strand of Calpurnius' argument is that threatening a young soldier with *stuprum* is worse than what the Cimbrians – the enemy – are threatening the Romans with: death and national defeat and humiliation.

⁵⁵ 'The soldier is as ready to die for *pudicitia* as he was to kill for it' (Ps. Quint. *Decl.* 3.2).

⁵⁶ The word *virtus* describing Marius' quality of 'virtue' is also 'manliness' and echoes the description of the soldier as *vir* in this sentence. On the latter's status, however, see below.

⁵⁷ Plin. *Epist.* 3.3.4: 'our adolescent along with all the other gifts of nature and good fortune has physical beauty; at this slippery (*lubricus*) age he needs not only a teacher, but a guard and guide'. *Lubricus* is also used for the dangerous and slippery sexuality of youth at Cic. *Verr.* 5.136, *Pis.* 68, *Cael.* 41; Sen. *Contr.* 2.6.4; *Sil.* 5.15; Tac. *Ann.* 6.49.2, 13.2.1, 14.56.1; Prop. 3.3.4; Apul. *Met.* 9.22, 11.15. See above Chapter 3, n. 57, Introduction, p. 11.

text condemns the tribune for treating the soldier as if he has not yet reached manhood, and is *nondum vir* – a not-yet-man. ‘Do you consider him not yet to be a fully grown man, when Marius has judged him a soldier?’ To be sexually attracted to another male is to deny his manhood, to treat him as a child, a pretty boy. By contrast Marius, by taking him into his army, has acknowledged his adulthood, and this highlights the inappropriateness of the tribune’s categorisation. Yet, just as the tribune, by inflicting sexual advances on the soldier, has undermined the latter’s manhood, so the speaker too is casting aspersions on the soldier’s manhood by working with the necessary assumption that the soldier is vulnerable to the other’s *stuprum*. Here adducing the concept of *pudicitia* destabilises boundaries that need to be clearly drawn between males of different status.

In order to address the anxiety that even to talk about the case is already to cast aspersions upon the murderous soldier that one is attempting to defend, Ps. Quint. *Decl.* 3 takes pains to characterise him as a virile adult and to work up the idea of the perversion inherent in the tribune’s desire for him. The question of his extreme youth is passed over in a moment, even denied, and what is dwelt upon is the tribune’s extraordinary and disturbing desire to have sex with a soldier, who should never, under normal circumstances, be considered sexually attractive at all:

diceris adversum Cimbros puerum probasse! sed neque te militaris aetas fefellit, cuius certissima mensura est posse fortiter facere, neque illa libido fuit saltem vitii usitata, quae ad obscenos veneris inpetus formae cupidine incenditur, sed quidam perditus contumeliae amor ac summa flagitiorum voluptas inquinare honesta; hoc ipsum, quod primus ante signa procurrat, quod veteranos tiro praecedat, quod redit pulvere et cruore concretus, istud, istud quod tam vir est. vulgaria inritamenta sunt cupiditatis forma, aetas; singularis res est fortis concubinus: illas cicatrices, illa vulnera, illa tot eximiae decora militiae – quid exequar ultra, imperator?

You [Marius] are said to have approved a boy to fight against the Cimbrians! But you were not deceived by the usual military age, of which the most certain measure is the ability to fight bravely, and nor was that man’s lust merely the kind of vice one might have anticipated, where a man is inspired to obscene sexual attacks through desire for beauty. In fact, the man was inspired by a crazed desire to inflict insult and took his highest pleasure in debauchery and in polluting what is good. It was this very fact – that the soldier was the first to run ahead of the standards, that a new recruit outshone the veterans, that he returned smeared with dust and blood – that he was such a *man*. Common incitements to desire are beauty and youth; a masculine concubine is a pretty peculiar thing: those scars, those wounds, those medals for military excellence – why should I go on, general? (Ps. Quint. *Decl.* 3.5–6).

The declamation often juxtaposes in this way military imagery with sexual imagery in a manner clearly designed to shock the listener. Soldiers shouldn't be sexy – and nor should the physical signs that mark them out, such as scars, wounds, and medals; hence the impact of the declaimer's rhetorical question: 'Was he supposed to put up with the lustful hands caressing his wounds?' (*feret libidinosas manus vulnera sua tractantes?*, 3.9). It is one thing to accost a woman in a prostitute's cell (the scenario we came across in Sen. *Contr.* 1.2 discussed in the [previous section](#)), quite another to accost a soldier in a military context in which sex should be the last thing on a man's mind. A vivid reconstruction of the scene is designed to highlight the bizarre and transgressive nature of the tribune's act:

conlatis cum hoste gravissimo comminus castris, cum totum bellum quodam genere ad pedem venisset et omnium mentes imminentis pugnae cogitatio inpletset, circumfremente undique barbaro ululatu, Romano militi pro vallo excubanti meretriciam obscenae libidinis patientiam aliquis imperat?⁵⁸

When our camp had been set up close to a very dangerous enemy, when the whole war in some way had come to depend on the foot soldier, and thoughts of the imminent battle had filled everyone's minds, with barbarian yells ringing out on every side, did someone then command a Roman soldier keeping watch on the rampart to whorish submission to an obscene lust? (Ps. Quint. *Decl.* 3.6).

The true purpose of a soldier is to defend *pudicitia* (in the bodies of wives and children),⁵⁹ and to attack it instead is peculiarly terrible; in this respect it is the killer who is the true soldier, as defender of *pudicitia*, in stark contrast to his attacker:

illi narrarunt rem viro et Romano et milite tuo dignam: ad primum statim obscenae libidinis sermonem, non aliter quam si in hostem classicum cecinisset, gladium illum, quem a te pro pudicitia nostrarum coniugum acceperat, per pectus infandi corruptoris exegit.

They [the accusers] tell the story of a deed worthy of a man and a Roman and of one of your soldiers: at the first mention of obscene lust, just as if the attack against the enemy had been sounded, that very sword, which he had received from you to defend the *pudicitia* of our wives, he drove through the heart of the evil corruptor (Ps. Quint. *Decl.* 3.7).⁶⁰

The implication is that the officer's desire stems from the desire to pollute something valuable and sacred, and to ruin someone whose superior virtue threatens his own superior status, rather than the usual casual desire for the

⁵⁸ Cf. Ps. Quint. *Decl.* 3.16. ⁵⁹ See n. 43 above.

⁶⁰ Compare with Sen. *Contr.* 1.2.18, discussed above, and with the stories found in Livy discussed in Chapter 2, see also previous note.

beautiful body.⁶¹ Thus the tribune is called over and again a *corruptor*, whose primary delight is in the very disruption that he is causing.⁶² He yearns to wreak destruction, and his desire is characterised as madness: he is blinded by crazy lust (*caecus amentia corruptor*, 3.7). The theme of corruption is also present in the text's strong association between the assault and prostitution. This is the defence's argument of course, designed to paint the tribune as black as possible, but it suggests that to accost the soldier is not merely to force him to submit to him sexually, but actually to transform the soldier permanently into a whore. If he succumbs to his tribune's advances he will be prostituting himself (*prostare*), and, equally, by judging against the soldier Marius would effectively be licensing the prostitution of soldiers (3.3). This opens up the space for the audience to view the soldier as something darker and more complicated than an innocent victim. Indeed, the declaimer suggests that the soldier came close to being turned to the dark side and needing to be wiped out himself: 'for if the lust of the obscene corruptor had reached its aim, they would both have had to be killed' (*nam si libido ad votum obsceni corruptoris processerit, duo occidendi erunt*, 3.9).⁶³

Another key issue – alluded to in the title of this chapter – is that of how one should respond to the advances made by someone who wants to commit *stuprum* with one. Saying 'no' in such a perilous situation is not enough – such a response to the offer of *stuprum* leaves room for more offers, and does not assert strongly enough one's moral stance, one's abhorrence of *stuprum*.⁶⁴ 'In my opinion', asserts the declaimer of Ps. Quint. *Decl.* 3, 'a soldier is not *pudicus* enough if he only says "no" when he is armed' (*mea sententia non satis pudicus est miles, qui armatus tantum negat*, 3.6). Yet this assertion must not be taken at face value – it is designed to exploit the possibilities of *pudicitia* so as to argue convincingly that murder is justified.

Moreover, in its only use here of the term *pudicitia*, Calpurnius' text suggests that when *pudicitia* is at stake, anything goes: 'wherever *pudicitia* is imperilled, she has her own laws'.⁶⁵ The defence goes on to argue that, in the kind of situation in which the young soldier has found himself, merely to refuse to comply is not by any means an adequate response. 'No' means:

⁶¹ For these themes in Livy see Chapter 2 pp. 87, 98 and 111 above; cf. their use by Cicero as discussed in Chapter 6 below.

⁶² The word is used of him fourteen times in total in sections 2, 6, 7, 9, 11, 16, 17 and 18. On the use of the term in this piece see also Gunderson 2003: 241.

⁶³ Cf. the effect of the Bacchic rites on innocent youth, Chapter 2 p. 118 above.

⁶⁴ As in the case of the prostitute priestess discussed above.

⁶⁵ I think that this is the correct interpretation of this line, which may be an allusion to the personified *pudicitia* as regulatory force as she appears in other texts; see Sussman 1994: 101, who translates it as 'a man has the law on his side' but discusses in the notes a range of suggestions including D. A. Russell's 'it has its own law'; cf. Gunderson 2003: 253.

'maybe – try again tomorrow' unless you put your sword where your mouth is and kill your amorous pursuer. This is reminiscent of Lucretia's declared stance in Livy's version of her story – only violent action can really speak unambiguously of pure intentions.⁶⁶ In the next breath the passage makes the comparison itself, bringing in references to the tales of Verginius and Lucretia to evoke both the horror of the tribune's attempt and precedent for the violent response of the soldier.

Calpurnius alludes to the idea that it is shameful to compare this situation to these traditional stories – *pudet me, imperator* ('I am ashamed, general') – for this entails a comparison between the soldier and the two women that impugns the dignity of the soldier. Ps. Quint. *Decl.* 3 develops the claim that even to talk about the *pudicitia* of a soldier is shameful: 'But to tell you the truth, I am blushing even to praise the *pudicitia* of a soldier' (*ego, si qua est fides, pudicitiam in milite etiam laudare erubesco*). The reason is that 'this is a woman's virtue; I should praise a brave man in other ways' (*feminarum est ista virtus; aliter mihi laudandus est vir fortis*, 3.3). Once again the implication is that it is women that one should treat this way, and to treat a soldier as if he were a woman is a particular perversion.⁶⁷ By implication, if it is shameful even to speak and hear of these things, how much greater is the enormity of what the tribune has done in treating the soldier as if he were one of these virtuous women of old (the *pudet* of Calpurnius' outline echoes the *pudicitia* attributed to the soldier earlier on).

Both texts, then, assimilate men and women's relationship to *pudicitia*, while at the same time distinguishing emphatically between them. The first position is unavoidable; you cannot castigate a would-be *stuprator* without admitting that the man he has propositioned was in some way vulnerable to his advances, and there is something of value in the soldier's physical integrity to be damaged. The whole defence case rests upon the idea that the killer was vulnerable to the advances and sexual aggression of another man, and that such advances warranted the man's murder. Yet it appears that one cannot expose the aggressor of *stuprum* without also destroying his (intended) victim. Hence the declamation attempts elsewhere to deflect attention from the soldier's *pudicitia*. For instance, at one point Ps. Quint. *Decl.* 3 suggests that what is at issue here is the *pudicitia* of the aggressor, which has clearly been lacking. To solve the problem of having to call

⁶⁶ See Chapter 2 above; the issue of consent, or at least of complicity, *does* matter.

⁶⁷ See Quint. *Inst.* 11.1.84 on the embarrassment for orators of having to talk about the subject of sexual attack, especially against males, where the victim ends up suffering more from *verecundia* than the criminal.

attention to the shameful vulnerability of the soldier, we should define *pudicitia* only as the active intentions and behaviour of the adult male towards vulnerable others:

haec sunt honesta, haec narranda feminarum exempla – nam virorum quae pudicitia est, nisi non corrumpere?

These [i.e. the tales of Lucretia and Verginius] are noble *exempla*, they are *exempla* that should be told about women – for what is *pudicitia* for men, unless it is not to corrupt others? (Ps. Quint. *Decl.* 3.11).

This (re)definition of *pudicitia* is clearly a rhetorical device, designed to protect the status and dignity of the soldier; we should not take it as a definitive statement about *pudicitia*. However, it highlights a central issue for the Romans: while *pudicitia* lends value to a person and is designed to protect the body of the person, it also robs the person of autonomy and the power to direct his or her own fate. Hence perhaps the need for extreme acts of violence in which the victim can feel and enjoy the exertion of power once again. Reading or listening to this declamation one is required to believe two contradictory ideas at the same time, that the soldier and his *pudicitia* were vulnerable to the advances of his superior, and that there is no such thing as the sexual vulnerability of the soldier, the very idea being grotesque. The two ideas are irreconcilable, grappling with the internal contradictions of the concept. However, as in the case of the texts discussed in Chapter 4, there is the suggestion that there may be as much to be risked in policing *pudicitia* as in failing to police it.

Indeed, the declamation goes on to argue that the fact that the declaimer has been compelled to use the word *pudicitia* in such circumstances is a sign of the moral perversion of the age in which he is living, in which even the vices themselves are being perverted:

non sit mihi forsitan querendum adversis auribus saeculi in tantum vitia regnare, ut obscenis cupiditatibus natura cesserit, ut pollutis in femineam usque patientiam maribus incurrat iam libido in sexum suum.

Perhaps I should not complain to the hostile audience of this age that vices hold such sway that nature has given way to obscene desires, that, with males polluted to the extent of feminine passivity, lust nowadays attacks its own sex (Ps. Quint. *Decl.* 3.11).⁶⁸

Yet the fact remains that however clever the declamation, the '*pudicitia*' it represents does not quite add up, and this shows as clearly as any text

⁶⁸ Cf. the effect of the Bacchic rites, see n. 63 above.

the impossibility of pinning down once and for all what *pudicitia* is and what its social ramifications are. When it comes to the crunch, *pudicitia* is always an embarrassment.

THE WANDERER'S WIFE (SEN. *CONTR.* 2.7)

A topic that is treated more than once in our extant sources takes us back to the problematics of the display of maternal *pudicitia* that we encountered in [previous chapters](#).⁶⁹ The key figures here are the *peregrinus* and the absent husband who leaves his wife at home when he goes abroad, whom we have often encountered in our sources so far (for instance in the figures of Collatinus, Amphitryo and Barbarus).⁷⁰ This motif embodies a common Roman anxiety about marital relations and the husband's lack of control over his wife, and is found in several declamations.⁷¹

The scenario envisaged in Seneca *Controversiae* 2.7 is as follows:

quidam, cum haberet formosam uxorem, peregre profectus est. in viciniam mulieris peregrinus mercator commigravit. ter illam appellavit de stupro adiectis pretiis; negavit illa. decessit mercator, testamento heredem omnibus bonis reliquit formosam et adiecit elogium 'pudicam repperi.' adit hereditatem. redit maritus, accusat adulteri ex suspitione.

A man with a beautiful wife went away on a journey. A travelling merchant turned up in the neighbourhood of the woman. Three times he tried to bribe her to commit *stuprum*, but she refused. The merchant died leaving everything to the beautiful woman in his will and adding this epitaph: 'I found her *pudica*.' She accepted the inheritance. Her husband returned, and accused her on suspicion of adultery (*Contr.* 2.7.praef.).

The declamation that follows claims (uniquely among the *Controversiae*) to be a continuous treatment of one theme drawn entirely from the work of Seneca's hero, Porcius Latro, and it is delivered in the persona of the husband. Unfortunately the end of the piece is missing, although the excerpts supply us with an outline of the arguments to be pursued. The appealing irony of this story is that it is the very phenomenon of another man describing his wife as *pudica* that calls her status as *pudica* into question.

Part of his argument, as one might expect, rests on the importance of reputation and the idea that true *pudicitia* ought to be above suspicion; *pudicitia* is corrupted as much by gossip as by the sex itself. As in the

⁶⁹ Cf. Chapters 1 and 2 above. ⁷⁰ See Chapters 1 and 4 above.

⁷¹ See particularly Quint. *Decl.* 363: a husband claims to be 'a diligent guard of his wife's *pudicitia*' (*diligens custos pudicitiae uxoris*); his wife's *pudicitia* is partly his responsibility, and he can be blamed if anything goes wrong. See also *ibid.* 325 and 330.

case against the Marian soldier, the argument is used that she must have been in some way ‘asking for it’ – inviting through her appearance and behaviour other men to think that she might be open to *stuprum*. There must have been some quality that attracted the attention of the neighbour in the first place, and made him think that he had a chance of persuading her to have sex with him. Of course, the Lucretia story is embedded in Roman consciousness, by which the blame for Tarquinius’ approach is emphatically not laid at Lucretia’s door – she is entirely virtuous, despite enflaming his lust. Or rather: she was entirely virtuous, *thus* enflaming his lust. The husband here argues, however, that there is no way that she can have been loved chastely (2.7.3).

This declamation, as we saw in Chapter 1, describes in detail how a *pudica* woman should behave, and stresses the importance of visual signs.⁷² Twice in the introduction to the declamation we hear of the woman’s beauty, and already this aspect of her appearance will count against her; beauty is associated with moral weakness and corruption. To look *pudica* a woman must dress plainly, spend her time exclusively with friends of her own kind, keep her eyes upon the ground, and if she is compelled to greet men in the street she must at least look really embarrassed as she does so. The declamation explores the contradictions in the idea of *pudicitia*’s need to be visible, and emphasises the idea that one must look *pudica* as well as be *pudica*.⁷³

This argument suggests that the right appearance can guard against the lusts of others: ‘no lust can break in on these defences of preserving integrity’ (*in has servandae integritatis custodias nulla libido inrumpet*). The corollary of this is that a woman who has been approached is responsible for the approach, since she has failed to project the right image and ward off advances. This laying of the blame at the woman’s door (familiar as it is also from modern rhetoric of rape),⁷⁴ is also directed towards the protection of the husband himself, since some lines of argument would see it as his responsibility to ensure that his wife is not vulnerable to the advances of other men.

The following extract works up the idea that saying ‘no’ is an insufficient response to propositioning, suggesting how it might be misread, or abused, and what kinds of behaviour might have been more compelling. The ‘husband’ asks sarcastically:

⁷² See Chapter 1 pp. 70–1 for text and translation of the relevant passages.

⁷³ The piece breaks off in the middle of working through this idea, and the text is corrupt, so it is not quite clear what is going on.

⁷⁴ Cf. Chapter 2 above.

internuntium, puto, illa sollicitatoris arripi et denudari iussit, flagella et verbera et omne genus cruciatus poposcit, in plagas deterrimi mancipi vix imbecillitatem muliebris manus continuit. quotiens absentis viri nomen imploravit, quotiens, quod non una peregrinaretur, questa est? nemo sic negantem iterum rogat. cum quo questa est? apud quem indignata es? abunde te in argumentum pudicitiae profecturam putas, si stuprum tantum negaveris, quod plerumque etiam impudicissima spe uberius praemi de industria simulat? . . .

totiens sollicitata non iram in istam faciem, qua placere poteras, convertisti? non omne ornamentum veluti causam talis iniuriae execrata es? quod proximum est a promittente, rogata stuprum tacet!

No doubt she ordered the intermediary of the seducer to be seized and stripped, demanded whipping and beating and every kind of torture, scarcely contained her own womanly weakness from joining in the blows against this appalling henchman? How often did she call on the name of her absent husband? How many times did she lament that they were not travelling together? No one would ask her again if she had turned him down like this. To whom did you complain? With whom did you get indignant? Do you think that you are offering evidence of *pudicitia*, if all you have done is to refuse to commit *stuprum*, when very often a most *impudica* woman, with the hope of increasing the price, will deliberately pretend reluctance? . . .

When you had been approached so many times, did you become angry with that beauty that was so attractive to him? Did you not curse every ornament as the cause of such an injury? The nearest thing to agreeing to *stuprum* is to be silent when it has been proposed! (*Contr.* 2.7.4–5).

The 'husband' also attacks the inconsistency of the 'moralistic adulterer', who is prepared to honour a woman's virtue even after he has deliberately set out to corrupt it. The praise lavished on his wife sounds wonderful, but it is entirely compromised by its provenance; the fact that the praise is from the mouth of another man renders the sense of the words opposite to what they should be.⁷⁵

'sola heres esto.' quid ita? habes, inquit, scripsit causas: 'quia, cum semel appellessem, cum iterum appellessem, cum tertio appellessem, non corrupti.' o nos nimium felici et aureo, quod aiunt, saeculo natos! sic etiam, qui impudicas quaerunt pudicas honorant? 'omnium bonorum meorum, omnis pecuniae meae sola heres esto, quia corrumpi non potuit, quia tot sollicitationibus expugnari non potuit, quia tam fideliter pudicitiam custodivit.'

'Let her be the sole heir.' Sorry, why? You know, she says, he has written down the reasons. 'Because when I propositioned her once, when I propositioned her again, when I propositioned her a third time, I did not corrupt her.' Oh we are born, as

⁷⁵ As in the comedy scenarios, where the status of the speaker affects the meaning of the moralising passages, p. 210 above.

they say, into a too fortunate and golden age!⁷⁶ So do even those who are looking for *impudicae* women honour those who are *pudicae*? 'Let her be the sole heir of all my possessions, of all my money, because she couldn't be corrupted, because she could not be overcome by so many attempts on her, because she guarded her *pudicitia* so faithfully' (*Contr.* 2.7.6–7).

He dwells on the implausibility of a man bent on adultery spending his travels searching for a chaste woman to whom he might leave his wealth, and wonders why the man had no woman in his life whom he might more appropriately have honoured, and then ends with some resounding *sententiae* about a woman's need to preserve her reputation above all:

'sola heres esto, quamvis aliena, quamvis ignota, tantum quia pudica, quia incorrupta est.' quid? isti tam censorio adultero non mater est, non soror, non propinqua? an nulla earum pudica est? idcirco scilicet cum tantis divitiis peregrinas urbes in honorem pudicitiae ignotae perambulat: illic, ubi natus est, nulla pudica erat, atque illic, ubi negotiatus, quia nulla non prostituta erat, vacuo testamento pudica heres per errorem quaesita est.

ego adulteram arguo, qui in matrimonium recepi, qui communis ex ista liberos precatus sum, qui pudicam libentissime crederem. adeo ne iam ad omnem patientiam saeculi mos abiit, ut adversus querimoniam viri uxor alieno teste defendatur? at hercules adversus externorum quondam opiniones speciosissimum patrocinium erat: 'ego viro placeo.' at ego, si hunc morem scribendi recipitis, in conspectu vestro ita scribam: uxor mea heres ne esto, quod peregrinante me adamata est, quod heres ab adolescente alieno ac libidinoso relicta est, quod tam infamem hereditatem adit. a duobus vos testamentis in consilium mitto: utrum secuturi estis? quo ab adultero absolvitur an quo damnatur a viro? unus pudicitiae fructus est pudicam credi, et adversus omnes inlecebras atque omnia delenimenta muliebribus ingeniis est veluti solum ac firmamentum in nullam incidisse fabulam. feminae quidem unum pudicitia decus est; itaque ei curandum est esse ac videri pudicam.

'Let her be my sole heir, even though she belongs to another man, even though I don't know her; just because she is *pudica*, because she is uncorrupted.' What? Does this moralistic adulterer have no mother? No sister? No female relative? Or is none of them *pudica*? That must surely be why he was wandering round foreign cities with all that money in order to honour the *pudicitia* of a strange woman. There was not a single *pudica* woman in his birthplace, and in the place where he made his money, because there wasn't a single woman who hadn't prostituted herself, and since he has a gap in his will he sought a *pudica* heir in his travels.

I accuse her of being an adulteress, I who took her in marriage, who prayed for children with her, who would gladly believe that she was *pudica*. Will the age so hand us over to every suffering that against a husband's complaint a wife will defend herself with another man as witness? By heaven, this was a pretty enough defence even against the accusations of strangers: 'I am attractive to a man.' But I,

⁷⁶ Cf. Prop. 2.32.43 in Chapter 4 above, p. 203.

if you now accept this custom of writing, will write this in your sight: 'Let my wife not be an heir because when I was away travelling she was adored, because she has been left as an heir by a strange and lustful youth, because she accepted such an infamous inheritance.' I charge you to debate the two testimonies: which are you to follow? The one where she is absolved by an adulterer, or the one where she is condemned by her husband? The one reward for *pudicitia* is to be thought to be *pudica*, and against all enticements and all allurements for female personalities it is pretty much the only support not to end up in a story. For a woman the only honour [*decus*] is *pudicitia*: thus she must take care both to be and to seem *pudica* (*Contr.* 2.7.7–9).⁷⁷

Her reputation should be guarded as closely as her body. The surviving excerpts from the rest of this declamation point out that she is called *pudica* only in her lover's will, but that everyone else is gossiping about her affair with the stranger. The gossiping itself is almost as bad as having an affair.

The opposing case survives only in the excerpts. The gist of it is as follows: the woman's beauty, which has attracted all this attention to her, is the fault of nature and not of the wife. The fact that she was left alone and thus was vulnerable to the attentions of other men was the fault of her husband. The other man was at fault in propositioning her, but she refused, and thus can indeed lay full claim to be *pudica*.⁷⁸

CONCLUSION

The declamatory texts we have examined in this chapter have not constituted systematic or logical explorations of ethical ideas. Rather they have taken ethical ideas and linguistically pulled and squeezed and twisted them to give them the rhetorical force to propel their arguments. They give us the chance to see something of the elastic possibilities and limits of an idea such as that of *pudicitia*.

One of the recurrent themes of the declamations is the impossibility of ever adequately saying 'no' to someone else's sexual advances without implicating oneself. One must neither speak, nor remain silent, nor ignore

⁷⁷ This is where the full text ends, providing a resounding conclusion to this piece.

⁷⁸ The scenario of the Minor Declamation 325 is slightly different, but raises similar issues. A poor man is suspected of being complicit in his beautiful wife's affair with his rich neighbour, but on being brought to trial is acquitted of pandering. When the rich man dies, however, he leaves all his worldly goods to the man in order that he should pass them on to his wife. The first question asked of the case against the man is 'How can she be both an heir and not an adulterer?' The assumption is made that there must have been a good reason for the rich man to make her his heir. How could the man really love her sincerely if he hadn't dared to say anything to her? He could have fallen in love with her *pudicitia*: 'Therefore love could have been the motivation, the admiration of *pudicitia* itself could have been the motivation' (325.16).

the proposition, nor resist, nor kill one's attacker – all these responses draw criticism. 'A soldier is not *pudicus* enough if he only says 'no' when he is armed', 'Do you think that you are offering evidence of *pudicitia*, if all you have done is to refuse to commit *stuprum*?'

Often the texts offer us such attractive aphorisms that strive to encapsulate the concept: 'The only reward of *pudicitia* is to be thought to be *pudica*', 'no woman is *pudica* enough if questions are asked about her', 'wherever *pudicitia* is imperilled, she has her own laws', '*pudicitia* that is bound to perish cares not about the manner of its demise', 'for what is *pudicitia* for men, unless it is not to corrupt others?'. These pinpoint some key aspects of *pudicitia*, and must play a role in helping declaimers to conceptualise it. However, reading such *sententiae* in the context of the declamatory genre it is clear that they are contingent upon the argument of the moment, rather than universally applicable truths about *pudicitia*.⁷⁹ As Quintilian writes in his handbook of rhetoric, *sententiae* are useful, striking, memorable and persuasive.⁸⁰ However, they are not designed to wrap up the subject for good and all, rather to cut through its luxuriant complexity and to provide temporary satisfaction in a witty and ingenious way.

This pliability of the concept of *pudicitia* as a rhetorical tool is a quality that we shall see to further effect in the following chapter, where we examine the speeches of Cicero, and the application of rhetorical skills, such as those gained through the training of declamation, to real people and real situations in the public sphere of politics. In both the unreal and detached world conjured up by declamation, and, as we shall see in Chapter 6, in the world of Roman public life, *pudicitia* appears in a range of different guises, depending on the point the speaker is trying to argue and the context of his argument. In this respect, this discussion of declamatory texts is a helpful model for the scope of this book as a whole, which argues that *pudicitia* means something different in every source we study.

⁷⁹ See Sinclair 1995: 35 for similar comment about Tacitean *sententiae*.

⁸⁰ Quint. *Inst.* 12.10.48: 'They strike the mind and with a single blow often direct it and they are more memorable because of their brevity and they persuade through entertaining.'

CHAPTER 6

Sexual virtue on display II: oratory and the speeches of Cicero

PUDICITIA AS CORE CIVIC VIRTUE

In the published works of Cicero the skills of rhetorical manipulation of *pudicitia* (developed through a training in declamation) are applied to real situations and people. *Pudicitia* turns out to be an important persuasive tool for the strategic characterisation of individuals and of state. In his rhetorical treatise *The Classification of Rhetoric* (*De partitione oratoria*) addressed to his nineteen-year-old son, Cicero cites as three examples of the things that are both good and necessary ‘life, *pudicitia* and freedom’.¹ Earlier in the same work a quartet, also including *pudicitia* – piety, *pudicitia*, religion and the fatherland – is cited as representing those things on behalf of which actions may be rhetorically justified.² *Pudicitia* holds the centre of these two formulae, where it is locked into the very essence of a Roman citizen’s being (What Roman could exist without life or liberty? Or, it appears, without *pudicitia*?) and into the core of his relationship with the gods and nation. In earlier chapters, we have seen *pudicitia* closely associated with civic life, with *libertas*, and with cultivation of the gods; Cicero, understandably given the context of his written works,³ will make these aspects of *pudicitia* his focus.⁴ Yet an examination of the use of the term *pudicitia* in his works reveals a rather different emphasis from most of the material we have examined before: it is primarily on the moral behaviour of adult and politically active men rather than women or young people.

In his own treatise on rhetoric, Cicero draws attention to the orator’s need to present himself, and those who are the subject of his speeches, in a manner that will appeal to his audience, if his speeches are to have maximum effect; indeed, he writes that one should present the characters

¹ *Part.* 86: *bonorum autem partim necessaria sunt ut vita, pudicitia, libertas.*

² *Ibid.* 42: *aut pietatis aut pudicitiae aut religionis aut patriae nomine.*

³ See May 2002a and 2002b and Rawson 1975 for an outline of Cicero’s life and career.

⁴ See also Sen. *Benef.* 1.11.4, where *libertas et pudicitia et mens bona* are described as the benefits without which one may survive, but life is not worth living.

involved 'so that they will have more impact than the facts of the case'.⁵ Character, or *ethos*, and *mores* were important aspects of Roman political life and rhetoric.⁶ As Vasaly suggests, throughout his career Cicero used his rhetorical skills in order to craft a public image for himself,⁷ constructing eventually what Batstone calls a 'consular ethos' which associated him with the right and good.⁸ Many of his speeches employ a rhetoric of virtue, creating a moral framework within which he aligns himself with the good, and his opponents, whether political or legal, with the bad. Cicero presents himself as a crucial part of a traditional alliance between state, gods and virtues, and within this context the concept of *pudicitia* plays a leading role.

It is deployed, for instance, in the speeches delivered during one of the critical episodes of Cicero's career, the Catiline affair of 63 BCE. Cicero was a consul, at the peak of his political career, when he uncovered a conspiracy by political heavyweight Catiline to seize power in Rome.⁹ On 8 November of that year, Cicero spoke out in the senate to reveal the plot and enlist the support of the senators against Catiline. Catiline left the city, and on the following day Cicero called an assembly of the people in order to make public a report of the senate's debate on the night before. A published version of the speech delivered before the people on this occasion survives; it was almost certainly reworked for publication after Catiline's execution – a shocking fate for so senior a politician, and one which Cicero, Catiline's inferior in terms of ancestry, had to work hard to justify (and for which he was subsequently briefly exiled). It is the height of the crisis – Catiline has fled Rome and Cicero seeks to justify sending an army against him – and Cicero gives a stark portrayal of Roman political life as a battle between personified abstract qualities of good and evil. It is significant that this is one of the speeches delivered to the people rather than the senate; the theme of Cicero as the protector of the Roman state is predominant in the second and third speeches before the people.¹⁰ In this public and popular arena, Cicero made full use of emotive 'crisis rhetoric', evoking the idea of a polarisation of society into a dichotomy between good and evil,¹¹ and conjuring up an array of virtues fighting on behalf of Rome against the array of vices that Catiline and his co-conspirators have mustered:¹²

⁵ Cic. *de Orat.* 2.184: *horum igitur exprimere mores oratione . . . ut saepe plus quam causa valeat.*

⁶ Cic. *de Orat.* 2.182 for character and *ethos* as means of persuasion. ⁷ Vasaly 2002: 98.

⁸ See Batstone 1994 on Cic. *Catil.* I and Cape 2002 which develops Batstone's argument and applies it to the rest of Cicero's consular speeches.

⁹ For background to the speeches see Batstone 1994, Habinek 1998, Konstan 1993.

¹⁰ Cape 2002: 145. ¹¹ On crisis rhetoric see Cape 2002: 143.

¹² For the characterisation of Catiline's co-conspirators in conventional rhetorical terms of invective see Corbeill 1996: 161–2.

ex hac enim parte pudor pugnat, illinc petulantia; hinc pudicitia, illinc stuprum; hinc fides, illinc fraudatio; hinc pietas, illinc scelus; hinc constantia, illinc furor; hinc honestas, illinc turpitudine; hinc continentia, illinc libido; hinc denique aequitas, temperantia, fortitudo, prudentia, virtutes omnes certant cum iniquitate, luxuria, ignavia, temeritate, cum vitiis omnibus . . . in eius modi certamine ac proelio nonne, si hominum studia deficient, di ipsi immortales cogant ab his praeclarissimis virtutibus tot et tanta vitia superari?

On this side fights *pudor*, on that wantonness; on this *pudicitia*, on that *stuprum*; on this loyalty, on that deceit; on this a sense of duty, on that wickedness; on this level-headedness, on that madness; on this honesty, on that shamefulfulness; on this self-control, on that lust; on this side, finally, justice, temperance, courage, prudence and all the virtues battle with injustice, extravagance, cowardice, rashness, with all the vices . . . in this kind of struggle and battle, if mortal commitment is lacking, would not the immortal gods themselves compel so many and such great vices to be overcome by the most illustrious virtues? (Cic. *Catil.* 2.25).

Of course, this is not a systematic table of Roman morality; or rather, it is a table of morality, but it is not a definitive one. Nevertheless, the catalogue of virtues and vices is deliberately structured to incite the fervour of the crowd. The first part, headed by *pudor* and *pudicitia* and their opposite vices, is made up of the qualities that bind individuals together into a community and regulate civic behaviour; the second part lists the four cardinal virtues of philosophy. This is a graphic and rousing depiction of the gods sending virtues to fight on behalf of Rome. Here *pudicitia* is placed in direct opposition not to *libido* (which is twinned with *continentia* or continence and self-restraint) but to *stuprum*. It is not in single combat with the force of lust, rather with lust's actual and physical consequence: sexual crime. By analogy we might define *pudicitia* here as the actual and physical consequence of *continentia*, or moral strength and sexual restraint.

The pairing of *pudor* and *pudicitia* is a very common one in Cicero's published works. They are not synonyms, but together embody the moral force of *pudor* and its translation into behaviour in the community – a package that is presented as indispensable for the respectable Roman.¹³ They are the qualities that define a good citizen and conversely the lack of them defines a bad one.¹⁴ For instance, Cicero's description, shortly before, of the sort of low-lives with whom Catiline spends his days has them 'impure-and-*impudici*':

¹³ See *Introduction* p. 19 above.

¹⁴ Sallust, a near contemporary, uses very similar language, especially about the Catiline conspiracy, in a different genre, that of the historical monograph (see Sal. *Cat.* 12–13, esp. 12.2, and the description of Sempronia at 25, to whom *pudicitia* is not dear).

in his gregibus omnes aleatores, omnes adulteri, omnes impuri impudique versantur. hi pueri tam lepidi ac delicati non solum amare et amari neque saltare ac cantare sed etiam sicas vibrare et spargere venena didicerunt.

Among these gangs all the gamblers, all the adulterers, all the impure and *impudici* hang out. Those boys, so charming and delicate, have learned not only to love and to be loved, and to dance and to sing, but also to wield their daggers and to dole out poison (Cic. *Catil.* 2.23).

When he invokes the concept of *pudicitia* in his political and legal speeches, Cicero marshals many of the themes we have seen employed elsewhere in Roman literature. Here there is the idea of corruption – young boys nurtured as sex toys and taught to mingle horribly by being both active and passive, leading to murderous behaviour of both deviant male and deviant female kinds.¹⁵ In this passage those who are *impudici* – who do not possess *pudicitia* – start by being tainted by sexual immorality and then go on to be moulded into men who are the opposite of the good citizen in every other way too; this extrapolation from the sexual is a common theme in Cicero's characterisation of the bad citizen.¹⁶

The accusation that a man did not possess *pudicitia* was therefore an assault on his very fitness as a citizen and it was liberally thrown about in ancient Roman oratory – it was a key weapon in the armoury of an orator's invective. The world of politics and public speaking in Rome was one in which men were trained to accuse one another strategically of sexual immorality, in order to blacken another's character and to cut at the heart of his integrity as a citizen. However, it was not enough that a man attack his opponents, he must also represent himself as an unblemished embodiment of the virtue. This chapter explores the context in which the Roman citizen placed himself on display – just like the *matronae* of Chapter 1 – and offered his sexual morality as a focus of scrutiny. This context was the world of politics and of public speaking, of which our main sources are the speeches of Cicero, written between the 70s and 40s BCE. Cicero produced a wide range of writings, many of which are extant. We have come across various philosophical and reflective works in which he mentions *pudicitia*; however, it is in his speeches that the concept of *pudicitia* is particularly recurrent:

¹⁵ See Chapter 2 above, pp. 116–21. The murder weapons referred to here are gendered in such a way as to reflect once again the double sexuality of the boys: daggers (*sicae*) belong to brigands, male criminals, whereas poison is the weapon of the corrupted and wanton woman.

¹⁶ See the discussion of Verres below for an expanded version of this standard biography of a villain. This biographical model of sexual passivity followed by malicious activity is also used to describe Catiline's supporters (*Catil.* 2.7, p. 288 below), Catiline himself (*Catil.* 2.8, p. 289 below), Antony (*Phil.* 2.3 and 2.6, pp. 306–8), Rabirius (*Rab. perd.* 8–9, p. 310), Caelius (*Cael.* 6, p. 311).

Cicero's corpus of speeches is one of our most generous sources of reference to the concept, especially within political invective. Antony, Clodius and Verres are all major targets of Cicero's invective against whom he mobilises the idea of *pudicitia*; we can also see that many of those whom Cicero defends had been similarly accused in the prosecution's case against them.

As we saw in the previous chapter, when a Roman man stood up to speak on a public platform or in the courtroom, every gesture, every posture, every texture of his voice could and would be read for signs about his (sexual) morality. The nature of his oratory bespeaks the moral quality of the man (cf. Cic. *de Orat.* 2.184), and Roman citizens were trained to analyse one another's bearing and demeanour in this way. We have seen in Chapter 1 that appearance, dress and demeanour were important visual signs of morality for women, and the cases of Clodia and Sempronia found in the works of Cicero and Sallust respectively were shown to illustrate this phenomenon.¹⁷ Such references to women are in fact rare in the works of Cicero; far more frequently in Cicero's speeches we see references to appearance as a way of telling the audience something about a particular man. The male body can also encode signs which guide the viewer towards an understanding of whether or not a man is possessed of the quality of *pudicitia*, so that the community may police the morals of its citizens.¹⁸ As we shall see, public personages attract abuse from their opponents which is very often of a sexual nature.

As we saw in Chapter 5, the trading of obscenities can itself invite questions about one's own moral standing.¹⁹ The delivery of such abuse also renders the speaker vulnerable to similar accusations – even speaking about such things can compromise *pudicitia* – and there is a delicate balance to be struck. The rhetorical textbooks emphasise the close connection between what you say about other people in public and what is said about you. Just as in the case of women, the signs can sometimes be misleading, as Cicero's reference to Egilius (during a discussion of humour in rhetoric) makes plain:

est bellum illud quoque, ex quo is, qui dixit, inridetur in eo ipso genere, quo dixit; ut cum Q. Opimius consularis, qui adulescentulus male audisset, festivo homini Egilio, qui videretur esse mollior nec esset, dixisset: 'quid tu, Egilia mea? quando

¹⁷ See Chapter 1 p. 70 and p. 71 above.

¹⁸ On the signs and import of masculinity and effeminacy, vice and virtue in declaimers and orators see Gleason 1990 and 1995, Richlin 1997a, Corbeill 1996, Edwards 1993: 63–97, Gunderson 1998 and 2000, Connolly 1998, and now Corbeill 2004.

¹⁹ See above, p. 257.

ad me venis cum tua colu et lana?’ ‘non pol’, inquit, ‘audeo, nam me ad famosas vetuit mater accedere!’

And it’s delightful too when someone who has spoken is mocked in the same way as that in which he has spoken. For instance Q. Opimius as a very young man made a rash move when he said to Egilius (a witty man who seemed to be more effeminate than he actually was): ‘So my Egilia, when are you coming round to my house with your spindle and wool?’ ‘I just don’t dare’, said the other, ‘my mother forbade me to visit women with bad reputations!’ (Cic. *de Orat.* 2.276–7).

Egilius seemed, but was not, *mollis* (effeminate); the signs were misleading. The man who made the mistaken interpretation of Egilius’ demeanour ultimately suffered for it, since beneath the effeminate exterior lurked a steely wordsmith, a true Roman citizen. This is also an instance of rhetorical wit deflecting the oratorical weapons of another, and sending them back against the attacker. Roman public speaking was often a war of words and of insinuations. In the [previous chapter](#) we saw that declamation trained young Roman men to exploit ambiguity and uncertainty and to elaborate upon and speculate about hypothetical situations so as to make their own interpretation of them seem as plausible and certain as possible. Cicero’s speeches, however they may have been reworked for publication, were composed with reference to real political crises and legal trials, and give us a sense of how such skills might have been deployed in the real context of Roman public life.

INVECTIVE

The concept of *pudicitia* was most commonly invoked by Cicero in his speeches as part of rhetorical invective, as we might expect. Accusations of sexual and gender transgression were an important element of the rhetorical strategies with which a Roman education armed the public speaker,²⁰ along with other standard themes such as accusations of extravagance, avarice and theft, cowardice in battle, estrangement from one’s family, comments on appearance and personal hygiene, and ethnic and family background.²¹ *Pudicitia* was a particularly attractive concept for the skilled orator to play with in his characterisation of the protagonists; it was elusive, impossible to prove definitely either way, pertaining to scenes that any audience and speaker would almost certainly not have seen, but which could be the subject of vivid, even lurid description (like declamation’s girl in the brothel

²⁰ For invective as a formal rhetorical device see e.g. Quint. *Inst.* 5.10.23–31, Corbeill 1996 and 2002a. For sexual invective see Richlin 1992a: 96–104.

²¹ For lists of the standard topics of invective see Corbeill 2002a: 199–201.

or attack on the soldier). It was there before the audience, displayed in the body, yet the body was always open to reinterpretation.

There was a formulaic and conventional framework of invective within which a skilful and inventive orator such as Cicero would work.²² Accusations of sexual immorality were a formal rhetorical device and part of the training that Cicero and other young men of his day received. The insults did not arise spontaneously from each situation and neither were they flung at random. They belonged to a strict rhetorical code in which orators were highly trained.²³ Facility with invective (*male dicendi facultas*) was prized, as Cicero's disparagement of the prosecution in his speech *pro Murena* suggests; he describes their allegations against his client as going through the motions, flimsy and baseless slander that show no real skill.²⁴ Yet on the other hand, such accusations also refer to real people and do real rhetorical work; they work by casting real people as types and endowing them with typical characteristics. The anonymously authored rhetorical textbook *ad Herennium* (written when Cicero was a young man) contains an example of a standard passage of invective. The author is illustrating the strategy of *frequentatio*, where an orator piles all the various charges that he has made throughout his speech into one passage for emphasis:

a quo tandem abest iste vitio? quid est cur iudicio velitis eum liberare? suae pudicitiae proditor est, insidiator alienae; cupidus, intemperans, petulans, superbus, impius in parentes, ingratus in amicos, infestus cognatis; in superiores contumax, in aequos et pares fastidiosus, in inferiores crudelis; denique in omnes intolerabilis.

What vice, finally, does he lack? What grounds are there for wanting to free him? He is a betrayer of his own *pudicitia*, an ambusher of the *pudicitia* of others; grasping, unbridled, petulant, arrogant, disrespectful towards his parents, ungrateful towards his friends, hostile to his relatives; insolent to his superiors, dismissive towards his peers, cruel towards his inferiors, unbearable, in short, to everyone (*Rhet. Her.* 4.52).

Here the accusation that the subject has damaged *pudicitia* – both of himself and of others – heads the list of charges, suggesting its location at the core of the vicious man. In this passage the standard tropes of vice are listed to evoke a rounded picture of such a personality. Elsewhere, maltreatment of *pudicitia* is linked causally with the other vices as if other kinds of misdemeanour can be extrapolated from sexual misconduct.²⁵ The

²² On Ciceronian invective see Corbeil 2002a and 1996.

²³ We may compare the material in this chapter with that found in the imperial narratives and especially Suetonius' use of rhetorical tropes of invective in biography as discussed in Chapter 7 below; on the use of rhetorical formulae in Suetonius' *Life of Nero* see Barton 1994.

²⁴ *Mur.* 11.

²⁵ Compare *Rhet. Her.* 4.23 where adultery and poisoning are connected, as in Cic. *Catil.* 2.23 cited above; cf. n. 15 above.

charges that Roman orators employed, then, are standard and expected, but they are also tailored to the needs of the individual situation. As Vasaly says, what we find in Cicero's works is the creative application of rhetorical training and devices. Cicero is skilled at describing people's conduct in such a way as to transform it into a 'general pattern of behaviour with wide implications.' Ethical conduct is a way of judging the *vir bonus*, and Cicero in his speeches works towards establishing the criteria by which a Roman should be judged, and then constantly emphasising the importance of these categories.²⁶

The description of Clodius' associate Gabinius in the *de domo* illustrates this technique nicely; he is a man 'whose boyhood *impudicitia*, adolescent lusts, the disgrace and bankruptcy of the rest of his life, the banditry of his consulship we have witnessed' (*cuius impudicitiam pueritiae, libidines adolescentiae, dedecus et egestatem reliquae vitae, latrocinium consulatus vidimus, de domo* 126). Here Cicero traces, in his brief evocation of the man's character, a biographical progression familiar from other passages of invective, such as the passage from the handbook cited above, and implicit in many more, that characterises Gabinius as a recognisable criminal and embodiment of immorality: in boyhood he is unable to protect himself against the shameful advances of other men; succumbing to their corrupting lusts, he develops, as a youth, lusts of his own, that lead him into the extravagance and disgrace of adulthood, and ultimately to the highly significant abuse of political power with its repercussions throughout society.²⁷

Cicero's enemy Catiline, too, is characterised in familiar terms. In Cicero's speech before the people he is associated with every kind of low-life to be found in Italy, the catalogue of which comes to a climax with a list of those involved in various kinds of sexual immorality:

quis tota Italia veneficus, quis gladiator, quis latro, quis sicarius, quis parricida, quis testamentorum subiecto, quis circumscriptor, quis ganeo, quis nepos, quis adulter, quae mulier infamis, quis corruptor iuventutis, quis corruptus, quis [perditus] inveniri potest qui se cum Catilina non familiarissime vixisse fateatur?

What poisoner in all of Italy, what gladiator, what common thief, what cut-throat, what father-killer, what forger of wills, what swindler, what glutton, what spendthrift, what adulterer, what *infamis* woman, what corruptor of youth, what corrupted person, what utterly destroyed person could be found who would not confess that he had lived on the most intimate terms with Catiline? (Cic. *Catil.* 2.7).

²⁶ Vasaly 2002: 74–6 (quotation on p. 75).

²⁷ See n. 16 above.

This passage outlines a variety of different kinds of sexual transgression in such a way as to underline the causal relationship between them and the corrupting spread of sexual immorality: the adulterer who ruins the *pudicitia* of married women is followed by the figure of the ruined woman herself (*infamis*) whom his exploits have created, just as the corruptor of youth is followed by the figure of the corrupted boy. Finally, the theme of the corrupted youth, who enjoys first the passive and then the active roles in sex and is thereby led on to ever greater crimes, is amplified in the case of Catiline himself as the passage continues:

iam vero quae tanta umquam in ullo iuventutis inlecebra fuit quanta in illo? qui alios ipse amabat turpissime, aliorum amoris flagitiosissime serviebat, aliis fructum libidinum, aliis mortem parentum non modo impellendo verum etiam adiuvando pollicebatur.

Indeed was there ever found in anyone so much debauchery of youth as there was in him? He loved others most shamefully himself, and was most scandalously the slave to the love of others, to some he promised the gratification of their lust, to others the death of their parents, not only driving them to it but even helping them (Cic. *Catil.* 2.8).²⁸

THE TYRANNICAL VERRES, *EXPUGNATOR PUDICITIAE*

One of Cicero's earliest cases, in which he made a name for himself with his outspoken and elaborate attack on his opponent, was that of the prosecution of Verres, a powerful politician who had been quaestor, legate in Asia, urban praetor, and governor of Sicily. In 70 BCE, Verres was charged with extortion during his time in Sicily, misgovernment and oppression of the provinces (*Verr.* 1.2). Cicero argued in a preliminary speech (the *Divinatio*) that he should be allowed to speak for the prosecution and, having been successful, delivered the first Verrine oration, after which the defence crumbled and the case was won. The second Verrine oration, then, in its five parts, was never delivered; however, it was published with the others after Verres had already fled Rome.²⁹ The text is an extended invective, intended to characterise Verres as a corrupt and abusive tyrant, to expound in parallel the up-and-coming Cicero's own conception of the right and wrong ways to use power, and to create a monument to Cicero's own rhetorical and forensic skills as part of his strategies for building a public reputation for himself in the

²⁸ Cf. 2.9: 'he consumed his commitment to hard work and the tools of virtue in lust and audacity'.

²⁹ Kennedy 1972: 156–62, Vasaly 2002: 87–103.

early stages of his career.³⁰ Cicero ties together many of the standard tropes of invective into a broad moral framework set up to characterise Verres as a man embodying all that is wrong with Roman provincial government.³¹ With his vividly rendered narratives of Verres' crimes, Cicero solicits the emotional engagement of his audience, adding *color* to the bare charges against the man, using those skills we also saw developed in declamatory training (Chapter 5). In its sustained description of the sexual ethics of a villain, the work expands considerably our understanding of how the concept of *pudicitia* might have worked for a man in ancient Rome.

Cicero asks rhetorically: 'Can anyone who cultivates *pudor* and *pudicitia* watch with equanimity the daily adulteries, the whorish lifestyle, the domestic pimping of that man?' (*pudorem ac pudicitiam qui colit, potest animo aequo istius cotidiana adulteria, meretriciam disciplinam, domesticum lenocinium videre?*, *Verr.* 3.6) In these words he positions himself and his audience as those who value and cultivate *pudor* and *pudicitia*, while in comparison Verres is a man who has cast aside all *pudicitia* and is steeped in *stuprum*, in the familiar formulation:

iam vero cum in eius modi patientia turpitudinis aliena non sua satietate obduruisset, qui vir fuerit, quot praesidia, quam munita pudoris et pudicitiae vi et audacia ceperit, quid me attinet dicere aut coniungere cum istius flagitio cuiusquam praeterea dedecus?

And then indeed, when in submission to depravity of this kind he had become hardened by gratifying others, though he himself was not satisfied, once he had become a man, how many defences and bastions of *pudor* and *pudicitia* did he storm with force and audacity? Why should I speak of these or append to his own disgrace the dishonour of anyone else? (*Verr.* 5.34).

Just as he will later in his career cast Catiline as the polar opposite of the right-minded citizen, of whom Cicero is the leader and the embodiment, so he does here with Verres. Elsewhere, *pudor* appears among the key attributes of the sort of decent person with whom one would be friends, while the kind of man with whom you would not want to associate is defined by the lack of these qualities, among which *pudor* and *pudicitia* are paramount: 'I believe this: we are charmed not by virtue or commitment or innocence, not by *pudor* or by *pudicitia*, but by conversation, by erudition, by education.'³²

³⁰ On the distinction that the work draws between Cicero and Verres see Vasaly 2002: 100–3.

³¹ As Vasaly argues, the aim of this later publication was not so much to rub in the fact of Verres' proven guilt, but to 'make Verres' guilt matter', to depict the broader moral and political implications of his behaviour, whilst contributing to Cicero's own image-building of himself as an important political force for the good (Vasaly 1993: 110).

³² *Verr.* 3.7–8.

In the speeches worked up for publication after Verres has already been defeated, Cicero goes to town with an over-the-top embellishment of power gone bad. Following the familiar biographical path mapped out for the objects of Roman invective, Verres is described as shamefully passive in boyhood, corrupted by women as a youth, and as becoming in adulthood, as a result, a violator of sacred things, an *expugnator pudicitiae* (1.9)³³ and an abuser of power.³⁴ The characterisation draws on the familiar notion of the pernicious effect on a male citizen of failing to protect his own physical integrity (as in the passage cited above). A man who has lost his own *pudicitia* cannot be expected to play his role as a citizen, especially when one of the key requirements is his protection of the *pudicitia* of others. Once again we see depicted a strong relationship between allowing one's own *pudicitia* to be destroyed and destroying that of others.³⁵ Verres' shameful boyhood is described at the beginning of the oration (1.1); however, Cicero also comments elsewhere on the fact that Verres' own young son has been exposed to *impudicae* women and *impudica* parties instead of to the example of the ancients (*mores maiorum*), and that this has corrupted the boy and made him *impudicus* himself, while his father's example is unlikely to make him any more *pudicus*.³⁶

Cicero's characterisation of Verres draws upon the traditional model of the tyrant,³⁷ who is characterised by various aspects of his sex life: cupidity (regarding women as well as objects) combined with a disregard for the ownership of others, multiple wives, and a weakness for succumbing to the influence of the women around him, to whom he gives too much power. His own lusts and desires are uncontrolled, so that despite his power he is weak and easily controlled by others in his entourage.

A man of royal habits, self-styled 'King of the Sicilians',³⁸ Verres is shown at 3.33 possessing a harem of women who wield excessive influence over him

³³ A clichéd phrase typically used in declamation of a tyrant; for other instances of the phrase *expugnator pudicitiae*, which uses a military metaphor (*expugnare* is usually used of storming cities) cf. Sen. *Contr.* 1.praef.9; Quint. *Inst.* 8.4.2. See also, for *expugnare* used to mean overcome sexually: Prop. 3.13.5; Livy 1.58.5; Cic. *Cael.* 49; Sen. *Contr.* 2.3.1; *ibid.* 2.7.7.

³⁴ A familiar life trajectory from Roman writings (see n. 16 above), it is also elaborated in the imperial biographies of Suetonius (see Chapter 7 below) and in the discussion of the Bacchanalia in Chapter 2 above.

³⁵ Another recurrent formula is this close relationship between a man's attitude towards *sua pudicitia* and *aliena pudicitia* (the *pudicitia* of himself and of others): cf. *Rhet. Her.* 4.52: *suae pudicitiae proditor est, insidiator alienae*; Cic. *Rab. perd.* 8; *Cael.* 42; Sen. *Contr.* 1.praef.9; Sen. *Epist.* 49.12; 99.13; Vell. Pat. 2.48.3; Suet. *Cal.* 36 (possibly, see Chapter 7 below, p. 354); Aur. Vict. *Caes.* 5.5.

³⁶ *Verr.* 3.159–60.

³⁷ He is explicitly described as 'a lustful and cruel tyrant' at *Verr.* 1.82; for his royal habits see 3.33. See Vasaly 2002: 100, n. 45 for the literary tradition of the Sicilian tyrant on which Cicero draws.

³⁸ *Verr.* 3.33.

(like a monarch of Persia and Syria), including Pipa and Tertia, who both collect tax on his behalf.³⁹ Cicero writes: 'this Tertia had more influence over him than any of his other women, [more than] Pipa, even as much as Chelidon' (3.34). His mistress Chelidon, meanwhile, guides his own government (5.13: *arbitrio Chelidonis meretriculae gubernari*). He himself is characterised by 'untamed and uncontrolled desires' (*indomitas cupiditates atque effrenatas*, 1.62) – which lead him horribly to abuse his powers over the provinces especially financially, but also sexually (here as elsewhere sexual desire is closely associated with avarice).⁴⁰ In an ironic inversion that highlights his unfitnes to be a Roman leader, his sexual conquests are described in military terms:⁴¹ his scars are from sex rather than from wars,⁴² and his camps are set up for lust rather than battle (5.11). He indulges in banquets with women (*muliebria . . . convivia*) and has sex with married women (5.31). Such association with, not to say domination by, women stereotypes Verres as effeminate. In Roman culture, the figure of the tyrant was not seen as 'hypermasculine' in his dominance over others; rather tyranny is seen as a dominance that manifests a kind of weakness, an inability to control oneself that lays one vulnerable to all kinds of forces of desire. Verres is so out of control with his scandalous lusts (*libidines flagitiosae*, 1.24) that he is overwhelmed with desire for people and things that he has never even seen – indeed that he has never even heard of before. In this respect his cupidity outstrips even that of legend.⁴³

At the end of the second oration, Cicero characterises Verres as a particularly ineffectual and corrupted man: 'yet you could not find a more apathetic, cowardly man, a man who was more of a man among the women and an impure little woman among the men' (*at homo inertior, ignavior, magis vir inter mulieres, impura inter viros muliercula, proferri non potest*, 2.192). The phrase summarises, in a conventional formula, Verres' transgressive sexuality: he is simultaneously a man among women and a woman among men, promiscuous in two modes.⁴⁴ This coincidence of behaviours has seemed strange to modern scholars, since it does not fit standard modern sexual categories, where 'effeminate homosexual' and 'womaniser' are mutually exclusive stereotypes, belonging respectively to effeminacy and

³⁹ Pipa 3.33–4; Tertia 3.34, 5.12–13.

⁴⁰ See e.g. Val. Max. 4.3, discussed in Chapter 3 above, pp. 134–6.

⁴¹ Compare the description of Clodius' military career below, pp. 302–3. On sex and soldiers see Walters 1998 and 1997c. See Chapter 5 p. 261, Chapter 3 pp. 187–9 above.

⁴² Verr. 5.13. ⁴³ As we shall see in the discussion of the incident at Lampsacus below.

⁴⁴ See above n. 16 and n. 35.

virility. Yet it is common in ancient Roman sources.⁴⁵ Far from the Don Juan stereotype of virility being proved through sexual conquest, the inability to prevent oneself from serial debauchery is seen as a sign of weakness akin to the desire to be penetrated by other men.⁴⁶ Verres is particularly marked out, in his exercise of power in the provinces, by the wilful destruction that he wreaks, through sex, wherever he goes:

at, credo, in hisce solis rebus indomitas cupiditates atque effrenatas habebat: ceterae libidines eius ratione aliqua aut modo continebantur. quam multis istum ingenuis, quam multis matribus familias in illa taetra atque impura legatione vim attulisse existimatis? ecquo in oppido pedem posuit ubi non plura stuprorum flagitiorumque suorum quam adventus sui vestigia reliquerit?

However, I believe, in these matters alone he has kept his desires untamed and unrestrained. All his other lusts were restrained by some reason or moderation. Do you know how many freeborn people, how many *materfamilias* that man forced himself upon during that disgusting and impure embassy? Is there any town in which he set foot where he did not leave more traces of his scandals and *stupra* than of his approach? (*Verr.* I.62).

When Cicero departs on an extended narrative of one such exploit, as a vivid illustration of this key aspect of the appalling Verres – the events that took place in Lampsacus in the Hellespont (I.63–85) – he draws on narrative structures that we have come across in the genres discussed in previous chapters. The sordid story may be summarised as follows. As soon as Verres arrived in Lampsacus, as was his custom he immediately sent his lackeys to search for a suitable female to debauch. His aide, Rubrius ('a man made to minister to his master's lusts', 63), tells him about a local man, Philodamus, whose daughter is unmarried and stunningly beautiful 'but renowned as having the highest integrity and *pudicitia*' (*sed eam summa integritate pudicitiaque existimari*, 64). He determines to have her. When Philodamus proves reluctant to house the governor himself, Verres forces him to play the host to Rubrius instead, and to throw in his honour a magnificent banquet to which all his friends are invited. When they are sufficiently drunk, Rubrius suggests: 'Why don't you ask your daughter to join us?' Philodamus is shocked, Rubrius insists, and then things get nasty: slaves block the exits, Philodamus is attacked with boiling water and the whole affair degenerates into violence, during which Verres' *lictor* Cornelius is killed, while Philodamus' son rushes home 'to defend his father's life and

⁴⁵ E.g. Catul. 29 on Mamurra, Cicero on Antony, discussed below; cf. discussion in Edwards 1993, Chapter 4.

⁴⁶ See also the discussion of Suetonius on Caesar and Augustus in Chapter 7 below, with reference to Edwards 1993.

his sister's *pudicitia*' (67). In the aftermath the leading citizens of Lampsacus address the people to the end that they should avenge Verres' crime with no fear of punishment from the Roman senate and people; if, however, such justified retribution is not condoned by the Roman authorities and the people are therefore unable to protect their community's *pudicitia* as they need, then they will no longer be prepared to tolerate such rule:

quodsi hoc iure legati populi Romani in socios nationesque externas uterentur, ut pudicitiam liberorum servare ab eorum libidine tutam non liceret, quidvis esse perpeti satius quam in tanta vi atque acerbitate versari.

But if the legates of the Roman people used their authority over allies and foreign nations so that they do not allow them to preserve the *pudicitia* of their children safe from their lust, then they would more readily suffer anything rather than dwell amongst such violence and bitterness (*Verr.* 1.68).

The Romans, however, persuade the people to be lenient, and allow Verres his life. Having escaped mob justice, Verres turns the tables, arranging for Philodamus and his son to be prosecuted for the murder of Cornelius, before a tribunal on which he himself is sitting. They are convicted and executed:

constitutur in foro Laodiceae spectaculum acerbum et miserum et grave toti Asiae provinciae grandis natu parens adductus ad supplicium, ex altera parte filius, ille quod pudicitiam liberorum, hic quod vitam patris famamque sororis defenderat.

There unfolded in the forum at Laodicea a spectacle that was repellent and pitiful and grievous for the whole province of Asia: an elderly parent led to execution, with his son by his side, the former for defending his children's *pudicitia*, the latter for defending his father's life and his sister's reputation (*Verr.* 1.72).

The story has many direct points of comparison with the tales related by Livy and discussed in Chapter 2: drinking party and drunken indiscretion, a beautiful innocent daughter, cynical abuse of hospitality, abuse of magisterial power, protective male relatives, destruction of a model family structure.⁴⁷ The target of Verres' lusts is a beautiful and pure virgin, like Verginia, from a virtuous family.⁴⁸ Like Tarquinius, Verres wangles an invitation to her home and then abuses this hospitality. Like Appius and Tarquinius both, he is carried away by desire, like Appius he abuses his position as a magistrate to affect the outcome of a court case, and, as in the case of these traditional tales, the story ends in violent death – in this case the deaths of the girl's brother and father. The boorish insolence of the 'guests' – Verres and his entourage – and the violent chaos they create at the

⁴⁷ See Chapter 2 above, pp. 97–8 and 106.

⁴⁸ Vasaly 2002: 94 notes in passing the similarity with the Verginia story.

table of their host in their attempt to seize the girl are also reminiscent of the story of the Centaurs and the Lapiths, a Greek myth recast for Romans.⁴⁹ In contrast to the narratives of Livy, however, the focus in Cicero's account is not upon the heroics of the tale, whether of the woman or her family, except as a kind of foil, but on the debaucher himself, reflecting the focus on vice rather than virtue that one would expect from invective as opposed to moralising historical narrative.

Just like that of Appius Claudius, Verres' abuse of *pudicitia* translates into abuse of the people (68); the parallel is particularly clear at section 73 when Verres abuses his magisterial power to oversee the trial of the girl's male relatives to his own benefit. When he puts to death these male relatives, whose only crime is to defend the *pudicitia* of their sister and daughter, this is reminiscent of Appius accusing Verginius and Icilius of sedition in order to undermine their accusations against himself.⁵⁰ Verres' lust is highly politicised. The people of Lampsacus speak out about it in a way that recalls the laments of the women and children in Livy's description of the aftermath of Verginius' slaying of his daughter, calling on the relations between the principles of *pudicitia* and *libertas*, and expressing their unwillingness to submit to Roman tyranny (68). However, whereas in Livy's stories sexual outrage precipitates popular uprising against abusers and constitutional change, the Lampsacans' threat that if not permitted to protect *pudicitia* and *libertas* they will rebel against their Roman rulers is deflated by the persuasive Romans and they suffer further persecution at Verres' hands. As in the story of Orgiago's wife, we find the scenario of the Romans abroad as villains; Cicero uses the idea of *pudicitia* as a precious human (Roman?) right, as an emotive button to press in order to provoke outrage in his readers about the exercise of power in the provinces.

Not only does Verres get away with it (until the saviour Cicero steps in, of course), but in several respects where there are points of comparison, Verres outdoes the depravity of the traditional villains Appius and Tarquinius. For instance, while those two men were overcome with lust as a result of the beauty and purity of the women whom they have witnessed, Verres had never even seen the girl when he was seized with the hubristic lust: 'the man, when he heard this, burned for something not only that he had never seen, but that even the person who told him about it had not seen' (1.25). That this is an indication of the moral depths to which Verres sinks is shown by the parallels with his behaviour towards works of art, which he also becomes determined to possess without ever having seen. Cicero addresses

⁴⁹ Cf. Prop. 2.2.9–10; Ov. *Met.* 12.221–535; Hor. *Carm.* 1.18.7–11; Cic. *Pis.* 22.

⁵⁰ Cf. Chapter 2 above, pp. 102 and 104.

him indignantly on this score, with respect to his violation of the rites of Ceres by seizing a statue from the sanctuary.⁵¹ For Verres, it is not a true desire for the object itself – be it artefact or girl – but the thrill of taking something from another man or community that spurs him on. The theft of the statue is sexualised, with the statue representing *pudicitia*; Verres has heard about the statue from a woman who is explicitly described as not being *pudica*, and her failure to guard, indeed her eagerness to betray, the sanctuary which it is her job to protect is analogous to a woman's failure to protect her own body and physical integrity.⁵² This implicit comparison between girl and statue also highlights another aspect of the ideology informing this text: a woman's *pudicitia* is a quasi-commodity within a community, with a powerful and symbolic value to that community comparable to that of a statue or religious icon; it is likewise susceptible to the deranged cupidity of a man who has no respect for that community, or who wishes to demonstrate in extreme ways his power over it.⁵³

The circumstances of the Verrine orations, and the recentness of the events they describe, raise stimulating questions about the interaction of narratives with lived reality and the cross-pollination of genres. Did Cicero's narrative about recent events influence Livy's depiction of traditional Roman tales in his historical work, which he began to write only thirty or so years later? Was he influenced more broadly by contemporary accounts of Verres' exploits? Or is Cicero, on the other hand, alluding to long-traditional narratives that Livy would embroider a generation later? Most likely these two late-Republican writers are drawing on the same pool of ethically potent narrative elements in order to construct their own very different texts. Whatever the case, the similarity is striking; such narrative patterns were clearly part of the Roman way of understanding and expressing the relations between sexual ethics and power.

⁵¹ Verr. 4.101–2: 'Even though you had not even been visually ensnared you fell into this so wicked and depraved a deceit. For you desired what you had never seen, and I declare you determined to have what you had never even glimpsed before; you conceived from what you had heard so great a desire that neither fear, nor piety, nor the power of the gods, nor your standing among mortals, could restrain it . . . What then? Was it only this statue that you began to yearn for, when you had heard about it but had never seen it? Certainly not, there were many others . . .'

⁵² See also the story of the statue of Himera at Verr. 2.82–94: another story 'born from cupidity, nourished by *stuprum*, brought to perfection and conclusion by cruelty' (82). In this tale the statue of a woman represents the town of Himera, and Verres' theft also involves seducing someone else's wife, Callidama 'about whom he had heard' (*de qua iste audierat*), whose figure and curves he likes.

⁵³ There may be parallels here with the patterns that anthropologists have perceived in the ideologies of twentieth-century Sicilian communities, see Giovannini 1987. For woman as statue in Ovid's Pygmalion tale see Sharrock 1991, and for woman as consumable and commodity in the ancient world see Sharrock 2002, Henry 1992.

THE SARDINIAN TALE

To this exploitation of traditional narratives in the *Verrines* for the purposes of prosecution, we might compare a later Ciceronian defence speech, *pro Scauro*.⁵⁴ In mid-54 BCE Scaurus was prosecuted for his activities as magistrate in Sardinia in the previous year. Although Cicero's speech for the defence is fragmentary, the following passage clearly shows how orators use traditional narrative structures in order to give persuasive significance to the real life events with which they are dealing. The prosecution seem to have claimed that Aris' wife committed suicide in order to avoid the advances of Scaurus.⁵⁵ Cicero responds:

num igitur ista tua Sarda Pythagoram aut Platonem norat aut legerat? qui tamen ipsi mortem ita laudant ut fugere vitam vetent atque id contra foedus fieri dicant legemque naturae. aliam quidem causam mortis voluntariae nullam profecto iustam reperietis. atque hoc ille vidit; nam iecit quodam loco vita illam mulierem spoliari quam pudicitia maluisse. sed refugit statim nec de pudicitia plura dixit, veritus, credo, ne quem irridendi nobis daret et iocandi locum. constat enim illam cum deformitate summa fuisse, tum etiam senectute. qua re quae potest, quamvis salsa ista Sarda fuerit, ulla libidinis aut amoris esse suspicio?

Then surely this Sardinian woman knew of or had read Pythagoras or Plato? Yet even they praise death in such a way that they forbid fleeing from life and they say that this would be against the contract and law of nature. And you will find no other reason for justifying a voluntary death. And the prosecutor saw this too: for he alleged at one point that the woman preferred to lose her life rather than her *pudicitia*, yet he at once withdrew and said no more on the subject of *pudicitia*, afraid, I should imagine, that he would provide us with material for laughing at him. For it is well established that she was as ugly as she was old. So how, no matter how saucy (*salsa*) she was, can there be any suspicion of lust or love? (*Scaur.* 5–6).

One gathers that the prosecution have previously presented the situation of the death of a Sardinian wife in a certain sympathetic light that draws upon the Lucretia story, casting Scaurus as a lustful Tarquinius, and suggesting that she has heroically taken her own life in order to avoid losing her *pudicitia*.⁵⁶ Cicero is satirical about their efforts and suggests that further details of the case undermine the plausibility of the prosecution's reconstruction. He asks sarcastically if the woman had read the great Greek

⁵⁴ Indeed Alexander 1990: 108 draws a comparison between what the prosecution must have alleged against Scaurus and Cicero's own prosecution of Verres.

⁵⁵ For an attempt to reconstruct the prosecution's case see Alexander 1990: 98–109.

⁵⁶ If it does not draw directly upon the story of Lucretia, it may be inspired by the Greek narrative models that also inspired the Lucretia narrative (see Wiseman 1998b), such as, perhaps, the Hippo story told by Valerius Maximus (6.1.ext.2).

philosophers Pythagoras or Plato on taking one's own life, refers sneeringly to the fictions of the Greeks – 'but the Greeks make a lot of things up' (*at Graeculi quidem multa fingunt*)⁵⁷ – and claims that the prosecution made their allegation hastily and then spoke no more of *pudicitia*,⁵⁸ since the woman in question was old and ugly.⁵⁹ He too adduces traditional elements of stories about threats to *pudicitia* – specifically the conventional youth and beauty of a victim – to point up the implausibility of the scenario conjured by the prosecution. Even if she were *salsa* (witty and engaging), she would not be capable of inspiring the *amor* or the *libido* that such a scenario would demand.⁶⁰

Cicero's own versions of what might have happened, versions which he claims are current in Sardinia itself, make use of the structures of a different genre – that of the Milesian tale.⁶¹ He claims that Aris, the husband of the dead woman, had a lover whom he wished to marry – a woman who was 'lustful and immoral and was well-known for her adultery' (*libidinosam atque improbam matrem infami ac noto adulterio*, 8) – but he did not want to divorce his wife and thereby lose her dowry. Therefore he and his lover fled to Rome together, whereupon his wife either killed herself, distraught at this turn of events, or (the version Cicero claims is preferred) was murdered by a henchman of her husband's. In the case of this speech and those written against Verres, traditional insults are recast so as to fit the specific circumstances of cases and individuals, and traditional narrative structures are deployed so as to enhance the plausibility of the given depiction of events.

CLODIUS

Tracing the way that Cicero uses the concept of *pudicitia* against Clodius in his speeches, over the course of their relationship, affords an opportunity to look closely at the circumstances and specifics of invective at work. We may see how invective is tailored to individual circumstances – both context and person – integrating stock themes and tropes, and locating the virtue at the heart of Roman religious and political life. Clodius was one of Cicero's long-standing opponents. Accused of violating the sacred

⁵⁷ The suggestion that this tale is part of a loathsome Greek tradition of self-aggrandisement lends weight to the theory that Greek tales on this model were current even before the story of Lucretia's rape became a central Roman founding myth. Cf. Chapter 3 above on Hippo, p. 172.

⁵⁸ The strategy also employed in his defence of Rabirius, see below, p. 310.

⁵⁹ With the implication then that she was lustful – for this characterisation of old women see Richlin 1992a: 109–16.

⁶⁰ For beauty and youth as stimuli to lust see above Chapters 1–4.

⁶¹ See Chapter 4 above.

rites of the Bona Dea in 62 BCE, he was reputed to have dressed up as a woman in order to infiltrate the strictly women-only religious celebrations so as to commit *stuprum* with Julius Caesar's wife Pompeia. During the trial, he made an enemy of Cicero, who spoke against him; he was subsequently instrumental in bringing about Cicero's exile in 58, on the grounds that Cicero's execution of the Catiline conspirators had been illegal.⁶² Between Cicero's return to Rome (and to the forefront of public life) in September of the following year, and Clodius' death at the hands of Milo (whom Cicero unsuccessfully defended) in 52, Clodius was often the target of Cicero's invective, and *pudicitia* holds a key place in this invective.

Cicero makes reference over and over again in the speeches in which he tussles with Clodius to the Bona Dea scandal, casting Clodius as a double violator, once of religion, in his desecration of the rites, and once of *pudicitia*, in his (at least attempted) affair with another man's wife. In his anti-Clodius rhetoric he draws a close connection between religious observance and *pudicitia*, designed to emphasise the gravity of the double charge. In a speech delivered in early 56 BCE, in defence of Sestius, Cicero repeats a description of Clodius made in a previous speech by L. Cotta in praise of Cicero, as 'that most deranged and most profligate enemy of *pudor* and of *pudicitia*' (*illum amentissimum et profligatissimum hostem pudoris et pudicitiae*, *Sest.* 34).⁶³ In April of that same year, Cicero launched an attack on the *pudicitia* of Clodius' sister Clodia, who is one of the key witnesses for the prosecution of Caelius in which Cicero spoke for the defence.⁶⁴ In early July, during a speech in the senate about the granting of provinces to the incoming consuls in which he expresses, amongst other things, his loyalty towards Caesar, Cicero declares that he feels enmity only towards those who show themselves to be enemies of Rome. His feelings towards Clodius, he claims, are governed, not by self-interest, but by love for his country. Once again, Clodius' alleged hostility towards Rome is illustrated by his disregard for *pudicitia*:

⁶² On the Bona Dea scandal see Tatum 1990. On Cicero and Clodius and the era more generally Wiseman 1985. We have no way of knowing whether Cicero's accusations against Clodius are true, although they are supported by the later testimonies of Vell. Pat. 2.45.1 and Suet. *Iul.* 6: Julius Caesar married Pompeia, 'but divorced her believing that she had been adulterated by Publius Clodius, since the rumour that he had penetrated public religious ceremonies dressed as a woman in order to get to her was so tenacious that the senate decreed an investigation into the polluted rites'.

⁶³ According to Cicero's account, Cotta is arguing that Clodius' treatment of Cicero in exiling him was wholly unjust, and Cicero follows with the assertion that others approved of Cotta's speech.

⁶⁴ See Chapter 1 p. 70 above on this section of the *pro Caelio*.

quod mihi odium cum P. Clodio fuit, nisi quod perniciosum patriae civem fore putabam qui turpissima libidine incensus duas res sanctissimas, religionem et pudicitiam, uno scelere violasset?

Why did I harbour hatred for P. Clodius, other than because I considered him a citizen most damaging for the state, who, aroused by the most shameful lust, had violated two most sacred things, religion and *pudicitia*, with a single wicked act? (*Prov.* 24).

Early in 56 the portentous sound of clashing arms had been heard just outside Rome. The interpretation of the *haruspices* was that it was an expression of the gods' anger about a number of things: the improper celebration of games, the desecration of a hallowed site, the murder of politicians and the violation of oaths. Clodius claimed that this was a reference to Cicero's house, which he himself had consecrated to Libertas during Cicero's exile, and which Cicero's subsequent reoccupation on his return to Rome had profaned. The two men faced one another in the senate, and on the following day Cicero delivered his speech on the response of the soothsayers, in which he retaliated by relating all the claims of religious impropriety which had brought about this need for expiation back to exploits of Clodius. The claim that games have been celebrated in an improper manner Cicero interprets as a reference to Clodius bringing gangs of slaves to the Megalensia; the profanation of religious sites Cicero interprets as Clodius' profanation of a senator's house, and the sacrilege Cicero identifies, of course, as Clodius' disruption of the rites of Bona Dea. The speech opens by describing Clodius' behaviour in the senate in the previous day as *impudicam impudentiam* (*impudica* shamelessness). The enmity between the two men is now sealed, and Cicero dates this situation from the Bona Dea incident:

in Clodium vero non est hodie meum maius odium quam illo die fuit, cum illum ambustum religiosissimis ignibus cognovi muliebri ornatu ex incesto stupro atque ex domo pontificis maximi emissum.

My hatred against Clodius is no greater today than it was on that day when I discovered that, scorched by the most sacred flames, dressed in women's clothes, he had been expelled from unchaste *stuprum* and from the house of the high priest (*Har. Resp.* 4).

Cicero realised then, he claims, that such behaviour, left unchecked, would burgeon into a force that would eventually lead to the destruction of the republic (*ad perniciem civitatis*). Religious desecration is a major theme in this speech, since religious observance is the focus of the case brought against Cicero, and he makes much of Clodius' hypocrisy and the

ludicrous situation of a man of Clodius' past bringing charges of religious misconduct and making such a fuss about it:

de religionibus sacris et caerimoniis est contionatus, patres conscripti, Clodius; P, inquam, Clodius sacra et religiones neglegi, violari, pollui questus est! non mirum si hoc vobis ridiculum videtur; etiam sua contio risit hominem, quo modo ipse gloriari solet, ducentis confixum senati consultis, quae sunt omnis contra illum pro religionibus facta, hominemque eum qui pulvinaribus Bonae Deae stuprum intulerit eaque sacra quae viri oculis ne imprudentis quidem aspici fas est non solum aspectu virili sed flagitio stuproque violarit, in contione de religionibus neglectis conqueri.

itaque nunc proxima contio eius expectatur de pudicitia. quid enim interest utrum ab altaribus religiosissimis fugatus de sacris et religionibus conqueratur, an ex sororum cubiculo egressus pudorem pudicitiamque defendat?

Clodius, my fellow senators, has called a meeting to talk about sacred rites and ceremonies. Publius Clodius, I say again, has complained that rituals and sacrifices have been neglected, violated, and polluted! It is no surprise if this seems ridiculous to you; even his own assembly laughed at the man – who, as he himself is accustomed to boast, had been blocked by hundreds of senatorial decrees which had all been passed against him on behalf of religious practices, who inflicted *stuprum* on the sacred couches of the Bona Dea, and violated those rites which are not permitted to be seen by the eyes of a man even unwittingly, not only with his masculine gaze but with his scandalous behaviour and *stuprum* – when he complained in a public meeting about the neglect of religious customs.

And we now look forward to his next speech to the people – on the subject of *pudicitia*! For what is the difference between complaining about rites and shrine when you have just fled from the most sacred of altars, and defending *pudor* and *pudicitia* as you emerge from your sisters' bedroom? (*Har. Resp.* 8–9).

Cicero's move from Clodius' current meeting about religious malpractice to an imaginary meeting to discuss *pudicitia* brings into parallel the themes of religion and sexual virtue. The sarcastic anticipation of Clodius' public address on this topic draws upon the audience's shared association of Clodius with the converse of *pudicitia*, and the consequent absurdity of his pontificating about such a subject, suggesting that the actual subject on which he is sounding off is just as absurd. Cicero seems to be alluding to the audience's knowledge of Clodius' sexual immorality, and specifically to his incestuous relations with his sister, but he is also, in this allusion, building up this very 'knowledge'.⁶⁵

A reference at section 27 to the legend of the goddess' reception into Rome strengthens the link between the themes of religious and sexual

⁶⁵ References to the incestuous relations between the pair are found in this speech at sections 39 and 42 (see below) and in the *pro Caelio*.

purity upon which Cicero will continue to dwell, in the person of Clodius' ancestor, the Claudia who, according to contemporary lore, had been able to bring the statue of the great mother to Rome on account of her outstanding chastity (she is *castissima*).⁶⁶ The speculative but graphic image of Clodius using the goddess' sacred couch as a bed for his adulterous sexual pursuits inscribes the connection vividly in his audience's minds, and is repeated elsewhere in the speech.⁶⁷ It is almost as if Clodius has forced himself upon the goddess herself. Cicero also repeats the image of Clodius dressed in women's clothes – in his saffron robe, headdress, breastband (section 44); his lack of respect both for himself and for the Roman traditions of differentiation between men and women translates into a disregard for the Roman state itself. At section 59 this is made explicit:

quis minus umquam pepercit hostium castris quam ille omnibus corporis sui partibus? quae navis umquam in flumine publico tam vulgata omnibus quam istius aetas fuit? quis umquam nepos tam libere est cum scortis quam hic cum sororibus volutatus?

Who has ever been less sparing towards the enemy camps as that man has been towards the parts of his own body? What ship in a public river was ever so open to allcomers as that man was in his youth? What prodigal son ever wallowed so freely with whores as that man does with his own sisters? (*Har. Resp.* 59).

A man who cannot protect himself, his own body, and his family, cannot be expected to protect the state and the possessions and relations of others. Clodius' early sexual career follows the familiar path to debauchery, with a personal twist in the shape of sex with his sister:

qui post patris mortem primam illam aetatulam suam ad scurrarum locupletium libidines detulit, quorum intemperantia expleta in domesticis est germanitatis stupris volutatus.⁶⁸

After the death of his father, he devoted his early years to the lusts of wealthy men-about-town, and when he had sated their intemperance he wallowed in the domestic *stuprum* of brotherly love (*Har. Resp.* 42).

In the sketch of his political and military career that follows, he is described as going on in adulthood to gratify the lusts of pirates and barbarians, so that his military activity is sexualised in a humiliating way, subjecting him to the whims of the very men over whom he should be exerting his

⁶⁶ See Chapter 1 above on various versions of the story, pp. 58–61, 67–70.

⁶⁷ The image is repeated at sections 33 (*quo pulvinari quod stupranas*, 'on the sacred couch, which you have adulterated') and 37.

⁶⁸ For the term *volutatus* denoting sordid sexual activity see also Sen. *Contr.* 1.2; Cic. *Har. Resp.* 42 and 59 (of Clodius and his sisters); Petr. *Sat.* 79 and 95; Apul. *Met.* 9.5.

own Roman command.⁶⁹ Cicero goes on to work up the theme of violation in order to cast Clodius as a violator of all aspects of Roman society:⁷⁰

exorta est illa rei publicae, sacris, religionibus, auctoritati vestrae, iudiciis publicis funesta quaestura, in qua idem iste deos hominesque, pudorem, pudicitiam, senatus auctoritatem, ius, fas, leges, iudicia violavit.⁷¹

Next began that quaestorship, so laden with doom for the republic, for the religious rituals, for religious practice, for your senatorial authority, for public justice, during which this same man violated gods and men, *pudor*, *pudicitia*, the authority of the senate, justice, convention, law, the judicial system (*Har. Resp.* 43).

In these passages *pudicitia* is used as a political metaphor: it stands for political integrity and refusal to bow down to the demands of another.⁷² Once again *pudor* and *pudicitia* appear together; this time they are alongside major institutions of Roman society, as if these qualities too are part of the institutional structures that regulate that society. These associations are echoed in an earlier letter to Atticus written in July 61, in which Cicero describes the failure of the prosecution of Clodius for his role in the Bona Dea scandal and its aftermath. *Pudicitia* appears in a similar list detailing the defensive and regulatory forces currently holding the republic together: ‘religion, *pudicitia*, the good faith of the judicial system, the authority of the senate’ (*Att.* 1.16.7). According to Cicero, his opponents hoped these would crumble altogether, but Cicero has thus far managed to defend them. In these texts *pudicitia* figures not merely, nor even primarily, as a regulator of sexual behaviour, but as a regulator of political and civic behaviour. An enemy of *pudicitia*, such as Clodius is claimed to be, is therefore an enemy of the state; a man who violates one thing will violate another.⁷³

When Clodius was killed by Milo in 52 BCE, Cicero’s defence of Milo rested on the notion that the death of Clodius brought only benefit to the state, and that a man who killed him was a deliverer of the people in ancient heroic mould, rather than a murderer.⁷⁴ Cicero imagines the triumphant

⁶⁹ ‘He even satisfied the lusts of barbarians.’ Compare this to the allegations made of Julius Caesar as reported by Suetonius, see Chapter 7 below, pp. 349–50.

⁷⁰ The verb *violare* (to violate) occurs often in this speech (twice in sections 5 and 46, and in sections 8, 12, 15, 21, 24, 26, 29, 37 and 43), and indeed is commonly found in Ciceronian rhetoric, as a dramatic way to convey the dangers posed by Cicero’s enemies.

⁷¹ See Riggsby 2002: 164. Cicero says that Clodius is the source of trouble that the priests warned of; he takes the recent past and turns it into *exemplum*, in another illustration of the strategy that Vasaly identifies.

⁷² For *pudicitia* and political resistance see above Chapter 2 and p. 295.

⁷³ Another example of extrapolation from one vice to another, as we saw in the handbooks, p. 287 above.

⁷⁴ This passage also puts Marius’ soldier alongside defenders of the state at section 9 of *pro Milone* – again implying *pudicitia* is one of the qualities most important to the state. See Chapter 5 above.

public declaration that Milo might have made had he slain Clodius after premeditation, claiming it would have undoubtedly won approval from the state:

‘adeste, quaeso, atque audite cives! P. Clodium interfeci, eius furores, quos nullis iam legibus, nullis iudiciis frenare poteramus, hoc ferro et hac dextera a cervicibus vestris reppuli, per me ut unum ius aequitas, leges libertas, pudor pudicitia maneret in civitate.’

‘Gather round citizens, I beg, and listen! I have killed P. Clodius; I have thrown from your necks, with this sword and this right hand, his madness, which we were by now unable to restrain by any laws or any enforcements, so that, because of me alone, law and justice, legislation and freedom, *pudor* and *pudicitia*, would remain in the community’ (*Mil.* 77).

Once again we find *pudor* and *pudicitia* among the institutions of the state, and alongside liberty. These could not constrain Clodius (hence the need to turn at last to violence), but in addition his presence in Rome was destroying these fibres of Roman society. Now that Clodius has been removed, *pudicitia* will be preserved. The emphasis is on Clodius as a desecrator of the *pudicitia* of others, and in section 76 he is cast as a threat to the wives and children of other citizens as much as to their houses and possessions: ‘He would never, believe me, have reined in his unbridled lusts from your children and your wives . . .’ (*a liberis, me dius fdius, et a coniugibus vestris numquam ille effrenatas suas libidines cohibuisset . . .*). These words depict Clodius as a bogey-monster cut to the same pattern as the figure of Appius Claudius in Livy’s tale, or as Verres in Cicero’s earlier speeches: a man whose existence and behaviour creates an atmosphere in which *pudicitia* cannot be maintained, in which men are unable to protect their young and female relatives against the lusts of powerful men.⁷⁵ Law and conventions cannot restrain him: violence is the only way.

Throughout his speeches Cicero uses the theme of the Bona Dea scandal as a springboard for his characterisation of Clodius as a man who heads straight for the violation of all that Romans should hold dear. In this event, sexual and religious misconduct are bound together, and Cicero regularly gives great emphasis to this connection. He further vilifies Clodius using the accepted strategy of extrapolating from one set of vices to another. In Clodius’ case he draws parallels between *pudicitia* and other fundamentals of Roman social and political life such as justice, liberty and political

⁷⁵ See Chapter 2 p. 107, and above p. 294.

institutions, so as to set up his own enemy Clodius, with all the clout that his *gens* and standing lend him, as the enemy of Rome itself.

ANTONY

In Cicero's treatment of Antony in the last perilous years of the former's life (44–43 BCE), we find a similar display of enmity, but a different focus of invective. Cicero delivered fourteen speeches against Antony, known since antiquity as *The Philippics*, a politically loaded allusion to their Greek model, the speeches of Demosthenes against Philip of Macedon.⁷⁶ Six months after the assassination of Julius Caesar, Antony attacked the absent Cicero in the senate on 1 September 44 BCE, and the first Philippic was delivered by Cicero on the following day in the same setting, criticising Antony's political position. On 17 September Antony attacked Cicero again, and the very long masterpiece of invective that is the second Philippic was composed in response. Like the second speech against Verres, the speech was never actually delivered; Cicero's friend Atticus commented on drafts of the text,⁷⁷ and it was probably published and circulated in late November.⁷⁸ In the third and fourth speeches in the series, delivered in December, Cicero declared war on Antony, a breach that eventually led to Cicero's death at the instigation of Antony less than a year later.

The aim of the second Philippic, plainly put, is to represent Antony in the worst possible terms, and to convince the senate and Roman elite to stand behind Cicero rather than his enemy. Once again Cicero bends the standard tropes of invective to the specifics of the man; the main themes that emerge from his invective against Antony are greed and drunkenness, association with actors and actresses, making a mockery of the institution of marriage, and a thirst for blood. While Clodius is the archetypal abuser of power, robbing respectable citizens of their *pudicitia*, Antony is a seedy low-life, who associates with those who have nothing to lose. In addition, many of the accusations that Cicero levels against Antony appear to be direct responses to charges and claims that Antony has made against Cicero: the orator twists Antony's own claims and sends them back against him.

Initially Cicero suggests, using the familiar rhetorical trope, that Antony was corrupted when a youth.⁷⁹ In this case, however, there is a personal twist that turns the claim into something more than mere invective, and

⁷⁶ Ramsey 2003: 16–17 for the origins of the title in Cicero's letters.

⁷⁷ *Att.* 15.13 and 16.11.

⁷⁸ Ramsey 2003: 158–9.

⁷⁹ See footnote 16 above for this commonplace.

works towards bolstering Cicero's own characterisation of himself as the embodiment of all that a Roman citizen should be. In response to an apparent claim by Antony that he had been educated by Cicero himself and that the orator must therefore accept some responsibility for the younger man, Cicero declares that he only wishes, for Antony's sake, that this were true:

at enim te in disciplinam meam tradideras (nam ita dixisti) domum meam ventituras. ne tu, si id fecisses, melius famae melius pudicitiae tuae consulisses. sed neque fecisti, nec, si cuperes, tibi id per C. Curionem facere licuisset.

Yet you had delivered yourself into my training (or so you claim) and used to frequent my home. If only you *had* done that, you would have taken better care of your reputation and of your *pudicitia*. But you did not, and, even if you had wanted to, C. Curio would not have allowed you (*Phil.* 2.3).

Cicero's assertion that Antony would have done much better to have spent his time with him rather than with the corrupting influences to which he was in fact exposed (especially that of Curio, who, Cicero claims, was Antony's lover) has the effect of suggesting simultaneously that Antony has damaged his reputation and his *pudicitia* (the implication of which for his fitness as a citizen we have seen) and that Cicero not only possesses *pudicitia* himself, but is the benign counterpart of the corrupting influence of bad company who can influence to the good the reputation and *pudicitia* of those who associate with him. Instead, Antony allowed himself to come under the influence of the very worst kind of men, with the inevitable consequences for his sexual and then civic development. At sections 44–6 this sexual development and career is laid out in detail, so that all can see what kind of man he has become:

sumpsisti virilem quam statim muliebrem togam reddidisti. primo volgare scortum; certa flagiti merces nec ea parva; sed cito Curio intervenit, qui te a meretricio quaestu abduxit et, tamquam stolam dedisset, in matrimonio stabili et certo conlocavit. nemo umquam puer emptus libidinis causa tam fuit in domini potestate quam tu in Curionis. quotiens te pater eius domu sua eiecit, quotiens custodes posuit ne limen intrares? cum tu tamen nocte socia, hortante libidine, cogente mercede, per tegulas demitterere. quae flagitia domus illa diutius ferre non potuit. scisne me de rebus mihi notissimis dicere? recordare tempus illud cum pater Curio maerens iacebat in lecto; filius se ad pedes meos prosternens, lacrimans, te mihi commendabat; orabat ut se contra suum patrem, si sestertium sexagiens peteret, defenderem; tantum enim se pro te intercessisse dicebat. ipse autem amore ardens confirmabat, quod desiderium tui discidi ferre non posset, se in exilium iturum.

You took up the toga of manhood and at once rendered it the prostitute's toga: at first you were a common whore, the fee for your disgusting services was fixed, and it was not small. But swiftly Curio intervened, and he led you away from this life of prostitution and, as though he had endowed you with the matron's *stola*, he established you in a committed and stable marriage. No boy purchased for sexual gratification was ever so much in his master's power as you were in Curio's. How many times did his father throw you out of his house, set up guards so that you would not enter? Yet you, under the cover of night, lust urging you on, spurred on by the money you would earn, crept out along the rooftops. The house itself could no longer stand such scandal. Don't you realise that I am talking about matters that I am very familiar with? Remember the time when Curio the father used to lie in his bed, grieving, while the son prostrated himself at my feet, weeping, commending you to me. He used to beg that I would defend him against his own father, if he could only find six million sesterces: he would say that he had intervened on your behalf for such a sum. He himself, blazing with love, would declare that because he could not bear his yearning for you when you were separated, he would go into exile (*Phil.* 2.44–5).

Cicero's account of Antony's love affair with Curio is embellished with themes drawn from new comedy and elegy. Antony himself is cast as the attractive young prostitute who inspires the passionate love of a nobly born but wild young man against the wishes of his stern father.⁸⁰ The audience's familiarity with these generic elements and the graphic details supplied by Cicero together inscribe this scenario forcefully in the imagination: Antony is imagined dressed as a respectable matron (shades of Clodius at the Bona Dea); he is pictured crawling over the roof on a midnight assignation aroused by lust and the smell of money. The political implications of this relationship with Curio are drawn out; it places Antony in a female and servile position, in the power of another man, who himself is a cringing and whining figure at Cicero's feet.⁸¹ This inversion of status is emphasised in the famous opening line of this section, where the 'manly' toga that Antony dons as part of his ritual accession to adulthood is rendered 'womanly' (i.e. that of a female prostitute). Antony allows himself to be humiliated like this as a result of two vicious drives: lust for sex and lust for money. Later Antony is famously described as Fulvia's catamite (at section 77, see also 48) – another degrading gender inversion – as well as in the thrall of his mistress Cytheris, who is a low-class mime.⁸²

Early in the oration, as he declares how hard it has been to keep himself from bursting out against Antony until now, Cicero heaps upon him a

⁸⁰ Cf. Edwards 1993 for a discussion of the uses of comedic tropes in this passage; Corbeill 1996, Corbeill 2002c and Fredrick 2002c.

⁸¹ Curio is also described as Antony's husband at section 50.

⁸² Sections 24, 58–9, 61.

catalogue of accusations that progresses in the opposite direction from those we have seen previously – inwards from the sweeping public abuses of the fabric of the state itself, to specific abuses that Antony has performed in public office, finally to rest in the domestic setting of Antony's home and the private transgressions that take place here:

quod quidem cuius temperantiae fuit, de M. Antonio querentem abstinere maledicto, praesertim cum tu reliquias rei publicae dissipavisses, cum domi tuae turpissimo mercatu omnia essent venalia, cum leges eas quae numquam promulgatae essent et de te et a te latas confiterere, cum auspicia augur, intercessionem consul sustulisses, cum esses foedissime stipatus armatis, cum omnes impuritates pudica in domo cotidie susciperes vino lustrisque confectus.

What an example of temperance it was to restrain oneself from complaining about Mark Antony with invective. Particularly when you had dissipated all the remains of the republic, when all forms of venality were found in the sordid commerce of your own house, when the laws themselves, which had never been promulgated, you confessed had been drawn up by you and in your own interests, when as augur you had abolished auspices, as consul the veto of the tribunes, when you were most shamefully protected by armed men, when you practise every form of impurity daily in your *pudica* home, worn out by wine and debauchery (*Phil.* 2.6).

The text at the crucial point is uncertain, since the manuscript reading of *pudica in domo* has been amended by some to read *impudica in domo*, on the grounds that this passage makes clear that Antony's house is far from *pudica*.⁸³ It seems likely however that the reading *pudica* should stand, and be read as reference to the former owner, Pompey, during whose tenancy the house was maintained with virtue. This would draw a keen comparison between the two men and also, by casting Antony as the desecrator of a previously pure space, vividly illustrate his corrupting influence upon all around him. To employ a house which used to belong to a respectable Roman citizen as a brothel and tavern, as Cicero describes him as doing, is to show no respect for traditional Roman values.⁸⁴ This reading is supported by later passages at sections 68–70 which evoke the house as witness to the terrible deeds of its master, and expand upon the contrast between the two owners. In the days of Pompey's inhabitation, Cicero asks, 'What did that house ever see that was not *pudicum*, from the best of customs and the purest training?' Now, however, 'there are brothels set up in what used to be the bedrooms, the dining halls have become taverns' (69). In contrast,

⁸³ See Ramsey 2003, ad loc.

⁸⁴ Cf. section 105, and the abuse of Varro's villa full of boys and respectable women. Antony's relationship with Cytheris, a mime, is frequently referred to (sections 24, 57–8, 61), as is that with Fulvia (77, 95, 113).

Cicero doctors Antony's own boast about his prowess, so that Antony's very family name stands for the height of sexual immorality, which is also, and equally, the height of immorality in general:

at quam crebro usurpat: 'et consul et Antonius!' hoc est dicere, et consul et impudicissimus, et consul et homo nequissimus.

And when he is always saying: 'both a consul and an Antony!' that is tantamount to saying: 'both a consul and the most *impudicus* of men!' or 'both a consul and the most evil of men!' (*Phil.* 2.70).

In his attack on Cicero of 17 September, Antony seems to have claimed that Cicero's consulship was damaging to the state, while his own was most salubrious. Cicero phrases his indignation at this claim in such a way as to imply that Antony's brutish behaviour in the political sphere is intimately connected with his moral stance towards sex:

adeo pudorem cum pudicitia perdidisti ut hoc in eo templo dicere ausus sis in quo ego senatum illum qui quondam florens orbi terrarum praesidebat consulebam, tu homines perditissimos cum gladiis conlocavisti?

Have you so lost your *pudor* along with your *pudicitia* that you have dared to say this in the very temple where I used to advise the senate, which once, in its heyday, presided over the whole world, and where you, on the other hand, have set up depraved men armed with swords? (*Phil.* 2.15).

Antony's sexual depravity and the loss of his *pudicitia* are taken for granted in this passage, but by now things have progressed further: the implication is that Antony first lost his sense of shame and his physical integrity through *stuprum* and this then spread to the rest of his moral sensibility, so that his lack of respect for Roman temples and political institutions (illustrated here by his posting of armed guards in the temple of Concordia) is a direct result of his sexual corruption earlier in his life. Elsewhere his lusts undermine his role as a Roman leader when they distract him from battle during the African campaign (section 71).

On 20 December, there was a debate in the senate during which Cicero delivered his third Philippic. Here he puts his characterisation of Antony in the second Philippic to work again, by implying that anyone who elects to follow his leadership rather than that of Cicero himself is thereby submitting himself to the utmost degradation. We have seen Antony portrayed as a whore and a slave, giving himself up to the power of others; to be, in one's turn, in the power of a man who has sunk as low as Antony is slavery of the most terrible kind:

cum autem est omnis servitus misera, tum vero intolerabile servire impuro, impudico, effeminato, numquam ne in metu quidem sobrio.

Yet although all slavery is wretched, it is indeed intolerable to be forced to be enslaved to a man who is impure, *impudicus*, effeminate and never sober, not even in fear (*Phil.* 3.12).⁸⁵

As in all the cases of invective we have seen so far, *pudicitia* is a central aspect of Antony's characterisation as a political and civic liability.

COMPLICATING INVECTIVE

So persuasive and authoritative is Cicero's rhetoric against Verres, Clodius and Antony that it is easy to take his invective at face value as a malicious exaggeration or embellishment of reality. It is helpful to counter the effect with the reminder that there were many other similar accusations made, texts of which do not survive, including accusations against those whom Cicero defended or praised. In these cases we do not have the graphic accusations that we find in Cicero's own prosecutions, but it is nevertheless possible to see the sorts of accusations that must have been thrown out against his clients. For instance, early in 63 BCE Cicero defended Gaius Rabirius on the charge of the murder of his nephew Saturninus thirty-six years earlier and of high treason.⁸⁶ Reading between the lines of Cicero's defence, we can surmise that the prosecuting team had also, in the course of their speeches, accused Rabirius of violating holy places, embezzlement, detention of slaves, the execution of Roman citizens, and, amongst all these, *impudicitia*. Regarding the latter, Cicero responds as follows:

nam quid ego ad id longam orationem comparem quod est in eadem multae inrogatione praescriptum, hunc nec suae nec alienae pudicitia pepercisse? quin etiam suspicor eo mihi semihoram ab Labieno praestitutam esse ut ne plura de pudicitia dicerem.

For why should I compose a long oration addressing the assertion that was made in the same proposal of remission of the fine, that he has spared neither his own *pudicitia* nor that of others? Indeed I suspect that Labienus allotted me a mere half an hour so that I should say no more about *pudicitia* (*Rab. perd.* 8–9).

⁸⁵ Cf. *Phil.* 3.35: 'Slavery to men who are lustful, to those who are wanton, to those who are impure, to those who are *impudici*, to gamblers and to drunkards, that is the highest form of wretchedness combined with the greatest form of dishonour.'

⁸⁶ The text of the speech was probably published in 60 BCE. For the political context and possible motivation for the prosecution see Cape 2002: 129–40.

Without more context it is difficult to tell exactly what is going on, but the prosecution have clearly once again made the standard, extreme accusation about Rabirius' sexual morality: that he has allowed his own *pudicitia* to be destroyed and has destroyed that of others.⁸⁷ Cicero does not dwell on the details at all – he swiftly dismisses the accusation, perhaps to avoid any of it lingering in the jurors' minds.⁸⁸ He then claims that he believes that his own speaking time has been cut short precisely so that he should not have the opportunity to pursue the topic of *pudicitia* any further. In other words, he implies, without going into any specifics, that the prosecution, too, is vulnerable to charges of sexual immorality. This brief passage indicates that everyone is playing the same game of hurling charges against the opposition whilst deflecting and neutralising the opposition's missiles against themselves.⁸⁹

Cicero's defence of Caelius in April 56 BCE also begins by addressing in considerable detail the prosecution's attacks against Caelius, including allegations about his father's poverty, his estrangement from his parents and from the people of his home town, the sexual activities of his youth, his association with Catiline, his corruption, bribery and debt. Cicero dismisses all these as baseless slander (*maledicta*) designed to blacken his client's name, rather than genuine charges (*crimina*),⁹⁰ and he elaborates this point during his treatment of the accusations about Caelius' *pudicitia* that lie at the heart of these:

nam quod obiectum est de pudicitia quodque omnium accusatorum non criminibus sed vocibus maledictisque crebratum est, id numquam tam acerbè feret M. Caelius ut eum paenitet non deformem esse natum. sunt enim ista maledicta pervolgata in omnibus quorum in adolescentia forma et species fuit liberalis.

As to the charges cast against him concerning *pudicitia* and this barrage from all his accusers, not of genuine charges but of insults and slanders – Caelius will never be so upset by these that he shall wish that he had been born ugly. They are the sort of slanders that are commonly circulated about all those who are generously endowed in youth with a good physique and good looks (*Cael.* 6).⁹¹

Here Cicero uses the Roman commonplace that good looking young men attract sexual gossip⁹² (just as celebrities do today) in order to defend his client, providing an explanation as to why such rumours have attached themselves to him. His argument acknowledges a culture of invective as a

⁸⁷ Cf. n. 16 and n. 35 above. See Tyrrell 1978: 43–50 for a reconstruction of the case for the prosecution.

⁸⁸ Cicero himself accuses Scaurus' prosecution of using the very same strategy, see above.

⁸⁹ Cf. the strategies used in modern day rap battles, as dramatised in the final scenes of the film *8 Mile*.

⁹⁰ See also section 30 for this distinction. ⁹¹ Cf. *Cael.* 15. ⁹² See Williams 1999: 74–6.

way of explaining and thus neutralising the attacks on Caelius. When men are young they are particularly susceptible not merely to actual corruption, but to the sort of gossip that is in itself harmful:

qua in aetate nisi se ipse sua gravitate et castimonia et cum disciplina domestica tum etiam naturali quodam bono defenderet, quoquo modo a suis custoditus esset, tamen infamiam veram effugere non poterat. sed qui prima illa initia aetatis integra atque inviolata praestitisset, de eius fama ac pudicitia, cum iam sese conroboravisset ac vir inter viros esset, nemo loquebatur.

At that age, unless someone were to defend himself with his own gravity and purity and domestic discipline, and even with some sort of natural goodness too, however he might be guarded by his own people he would be unable to flee from the justified *infamia*. But if someone had preserved the early stages of his youth untouched and inviolate, by the time he had reached maturity, and had become a man among men, no one would talk about his reputation and his *pudicitia* (*Cael.* 11).

Cicero takes this opportunity to talk about invective and abuse more generally, undermining the prosecuting speaker Atratinus by suggesting that his youth should have prohibited him from such an unsavoury subject:

But it is one thing to deliver invective (*male dicere*), another to make an accusation (*accusatio*). An accusation needs a charge, to outline the details, make a mark on the man, support it with an argument, prove it with a witness. *Maledictio*, however, has no purpose except to insult. If it is hurled more viciously, it is called *convicium* (loud abuse), if hurled more wittily, it is called *urbanitas* (sophistication). I am amazed that the role of accusation was given to Atratinus, and I could hardly bear to listen. For it was highly inappropriate for him, nor did his age warrant it, nor, as you yourselves must have realised, did this excellent young man's *pudor* suffer him readily to be involved in such a speech . . . (*Cael.* 6).

This passage distinguishes strategically between different forms of verbal abuse, and appears to provide some sort of key to understanding the functions of invective in Roman rhetoric.⁹³ One of the main rhetorical thrusts of the speech will involve turning the charge against Caelius on its head and simultaneously discrediting the prosecution's witness, Clodia – the noblewoman with whom Caelius had been accused of having an affair. From the first, Cicero's characterisation of Clodia is achieved through insinuation rather than accusation, and is sly and humorous.⁹⁴ In terms of his own categories articulated above, Cicero wields against Clodia *urbanitas* rather than grounded *accusatio*. Its effect is not merely to discredit Clodia, but to

⁹³ Cf. *Cluent.* 62 where a similar distinction is made between *crimen* and *maledictio*.

⁹⁴ See Chapter 1 p. 70 above.

exonerate the young man from the allegation of debauching a respectable woman. Cicero defends Caelius against the charge that he has consorted with Clodia, a free woman, and thereby destroyed her *pudicitia*, by impugning her *pudicitia*. If she is the courtesan that Cicero implies she is, long bereft of her *pudicitia*, then how can a man who spends time with her be labelled an adulterer, when there is nothing valuable to adulterate? – surely he can only be described as a lover (*amator*) – that is, a young man who loses his heart to a prostitute in permitted love, so familiar a stock character from Roman comedy:⁹⁵

cum hac si qui adulescens forte fuerit, utrum hic tibi, L. Herenni, adulter an amator, expugnare pudicitiam, an explere libidinem voluisse videatur?

If by chance some young man should happen to have been with such a woman, would he seem to you, L. Herennius, to be an adulterer or a lover, to be making war on *pudicitia* or trying to fulfil his sexual desires? (*Cael.* 49).⁹⁶

The effect is achieved through suggestion rather than by providing any actual evidence about Clodia's character or behaviour; as in the case of Antony, discussed above, Cicero makes use of comic stereotyping to flesh out the audience's picture of Clodia as courtesan.⁹⁷ It is significant that Cicero to a degree acquiesces in the prosecution's characterisation of Caelius, yet downplays the gravity of their accusations in his defence. Thus similar kinds of behaviour are lent very different emphasis and significance in this speech from in the speeches against, say, Verres or Antony, demonstrating the fact that it was not so much the behaviour itself that counted for or against a man, but the way that behaviour was represented and talked up or down.

Accusations that an opponent has compromised or destroyed *pudicitia* of his or her own, or of others, are standard tools of characterisation in Roman oratory, levelled against almost everyone. We should be careful, therefore, about taking them at face value,⁹⁸ and no less careful about taking the ideologies that invective espouses at face value; the ancient sources themselves acknowledge that the innocent are vulnerable to invective. Indeed Cicero goes so far as to claim that the fact that his client Fonteius, accused of corruption in Gaul, has *not* been lambasted by the prosecution in this way is a sure sign that his virtue (and not just in the sexual context) is

⁹⁵ For prostitutes as the permitted outlets for a young man's desire see Chapter 4 n. 49 above.

⁹⁶ For the description of Clodia see Chapter 1 above, p. 70.

⁹⁷ For Cicero's use of comic stereotypes in the *pro Caelio* see Geffcken 1973.

⁹⁸ Cf. Richlin 1992a: 102.

absolutely impeccable.⁹⁹ A list follows of examples of false accusations that have been made in the past against great and morally irreproachable men (*Font.* 38–40), such as Publicius Rutilius, the most upright of men, who was under suspicion of sexual misconduct (*stupratorum ac libidinum*).

While they might be standard and expected, such charges are not, on the other hand, made indiscriminately: it is clear that in Roman oratory one had to be careful against whom one directed one's invective and what form it took. Invective, as we have seen, directed the audience's scrutiny not only upon its object, but upon the speaker too. In the *pro Caelio*, Cicero suggests that certain types of invective are not appropriate for a young man, and that they may incur the censure of those listening. Cicero advises Atratinus to keep away from excessively free language just as he would from shameful deeds, and not to make any accusation against another person that he would be embarrassed to hear falsely levelled against himself. The young prosecutor is warned of a most significant feature of invective: its capacity to rebound upon the speaker:

... deinde ut ea in alterum ne dicas quae, cum tibi falso responsa sint, erubescas. quis est enim cui via ista non pateat, quis est qui huic aetati atque isti dignitati non possit quam velit petulanter, etiam si sine ulla suspitione, at non sine argumento male dicere?

... then, don't say things against another person that would make you blush if they were falsely said about you in return. For who would then not have a clear path, who would not, against someone of your age and nobility, be able to slander (*male dicere*) as unpleasantly as he liked, even if there were not the slightest reason for suspicion, and nevertheless make an impression? (*Cael.* 8).

The most disgusting crimes are shameful even to speak of or mention, and the orator is steering a dangerous path when he attempts to fill his listeners' heads with the images of another man's crimes.¹⁰⁰ In his invective against Antony, Cicero makes a neat point: 'Now I shall pass over the *stupra* and the sexual scandals: there are some things that I cannot decently speak of; you however are freer, since what you allow yourself to practise, you will not be able to hear said of yourself by a modest opponent' (*Phil.* 2.47).

⁹⁹ *Font.* 37: 'Has there ever been a defendant, especially one leading this sort of life – seeking office, holding positions of power, wielding command – who has been accused in such a way that no scandal, no misdeed, no indecency born from lust or viciousness or audacity, has been hurled by the prosecution, if not truthfully, at least with feigned plausibility and casting of suspicion?'

¹⁰⁰ See Cic. *de Orat.* 2.242; *Leg.* 1.50: 'it is embarrassing even to speak about *pudicitia*'. Thus in speeches the technique can be used as a way of insinuating bad things about the accused whilst making the speaker look particularly pure. Cf. *Verr.* 1.32; 3.95; *Phil.* 2.76. Cf. Richlin 1992a: 18–26 on things that were unspeakable in public – a discussion of Cic. *Fam.* 9.22.

Ancient invective did not need to be supported by evidence, and indeed functioned as a kind of evidence in itself, helping to establish the accused person's *ethos* and character. Nevertheless (or therefore), false charges were particularly condemned, and reflected very badly upon the accuser. For instance, Cicero accuses Antony of making a charge of immorality against 'a *pudicissima* woman', among others, because he wanted to marry Fulvia (*Phil.* 2.99), and in the following Philippic waxes indignant about Antony's false accusation against Caesar: 'First he has heaped on Caesar invective (*maledicta*) sprung from the memory of his own *impudicitia* and *stupra*! For who was more chaste than that young man, who more modest, whom do we hold up as a more illustrious example of ancient purity? Yet who is more impure than a man who slanders (*male dicere*) another?' (*Phil.* 3.15). The last rhetorical question is telling: baseless slander is here condemned outright as something that exposes the speaker as impure, as the previous passage too suggests.¹⁰¹ This makes the whole enterprise of invective all the more delicate. It is not enough to hurl the weapons of rhetoric against one's foes willy-nilly; the charges may be formulaic, yet they must be precisely and aptly targeted on the object so as to be plausible and convincing and preserve the decorum of the accuser.¹⁰²

In his defence of Deiotarus, Cicero reproaches Castor for bringing accusations (*male dicere* again) against the king which are not only false but also inappropriate in content and language. He opens his defence by painting Castor as a disloyal runaway slave who is bearing false witness against his master (*Deiot.* 2–3), and thus disgracing his ancestry, with his allegations of drunken naked dancing, and later admonishes him:

You should rather, Castor, have imitated the discipline and customs of your grandfather than have slandered an excellent and illustrious man with the mouth of a runaway slave. If you had had a grandfather who was a dancer rather than one from whom *exempla* of *pudor* and *pudicitia* are sought, even then this slander (*male dictum*) would not have been appropriate for someone of your age (*Deiot.* 28).

In order to maintain *pudicitia* properly, then, an orator must be careful what he talks about and how he talks – or at least this is what Cicero would have us believe here, deflecting the moralising gaze of the audience from his defendant to the voice of the prosecution himself. The implication here is

¹⁰¹ For other instances of criticism of false charges of sexual misconduct and slander (*male dicere*) by Cicero see *Vat.* 29, *Font.* 40; *de Orat.* 2.261, 2.301; 2.305, *Nat. Deor.* 1.93.

¹⁰² Thus Cicero claims that prior to his composition of the second Philippic, by which time he is amply justified in attacking Antony, he has never uttered any invective (*male dicere* or *contumelia*) against the man (*Phil.* 2.3).

that Castor has not, in his prosecuting speech, manifested the *pudicitia* that he should have learned from the excellent example of his own grandfather.

Since the moralising gaze rebounds upon the speaker, Cicero needs to represent himself as entirely upright when he is levelling his own accusations while accusing others of standing on shaky ground. We have seen, for instance, how he accuses Clodius of an inconsistent moral position when Clodius calls on principles of religious integrity. The passages discussed above show invective as a dangerous weapon to use, that might easily backfire against the one who uses it. The stylised predictability of invective and its apparent ubiquity in public speaking might lead one to conclude that it was not much more than a formality (as Cicero describes his opponents' invective in the *pro Murena*) – mudslinging to which no one paid much attention, except perhaps to hope that some of the mud might stick. However, an examination of Cicero's manipulation of the topic of *pudicitia* indicates that invective was a finely calibrated rhetorical technique that required a great deal of care and calculation on the part of the orator.¹⁰³

CONCLUSION

How the moral concepts deployed in invective relate to lived Roman ethics is a complex issue, highlighted by this examination of the concept of *pudicitia*. As I have said, the strongly moralising tone of much invective should not lead us to jump to the conclusion that all the moral attitudes expressed in such works are unproblematic expressions of widely or firmly held elite beliefs – in this medium, malleable moral concepts (such as *pudicitia*) are pressed into the service of political and rhetorical ends, just as they were in declamation (see Chapter 5 above).

Certain assumptions about *pudicitia* and its importance for society emerge from a study of Cicero's writings. *Pudicitia* is represented as a public possession to be cherished by the community, as well as a force battling against *stuprum*, *libido*, or *impudicitia*. It has an abstract nobility that places it alongside life and freedom themselves as the most important aspects of humanity. Those whom Cicero attacks have failed to respect, protect and value the common possession, and have thus betrayed their fellow citizens. *Pudicitia* is also extensively portrayed as a personal attribute which is crucial for the public figure, and it plays a central role in the characterisation

¹⁰³ Just as in the case of contemporary gangster rap, which also makes extensive use of formalised invective, people do really get shot, but the genre also requires an antagonistic relationship between its practitioners that is not necessarily born of pre-existing hostility, and offers an armoury of insults to be used.

of individuals within Cicero's speeches. There was as much importance placed upon the cultivation, display and guarding of *pudicitia* by Roman men of his day as by respectable women, and it is an important aspect of the identity of the orator himself.

It appears that it was perfectly acceptable, and indeed was expected, that sexual and erotic practices would be adduced as part of public debates and trials, sexual scenarios would be vividly conjured up for the audiences, and that *pudicitia* or the lack thereof would be brought to the fore in personal attacks upon public figures. At the same time the speeches communicate a rhetoric of modesty,¹⁰⁴ seen also in the declamatory texts discussed in Chapter 5, so that images conjured up by speakers are best restricted to those of men climbing over rooftops to reach their lovers, or of women with their name inscribed above the door of a prostitute's cell, rather than of the actual sexual practices themselves (although risqué allusion through puns and wordplay might be hazarded by some). *Pudicitia* is both on the table in plain view, and still veiled with decency, in just the way that the women encountered in Chapter 1 should be. It is easier to describe the transgression than the quality itself, and all the more so when the subjects are grown men, political heavyweights, who do not stand at the rostrum with their eyes downcast as a way of displaying their *pudicitia*; there is no clear way of displaying *pudicitia* except by the studious avoidance of any behaviour that might be associated with its transgression.

Once again, as we saw in Chapter 5, part of the appeal of *pudicitia* for an orator is the fact that all the signs are open to interpretation and graphic elaboration; mostly the trope of *pudicitia* in invective is a starting point for speculation – inventive description designed to sway the sympathies of the audience. Equally, the portrayal of what constitutes *pudicitia* and lack of *pudicitia* is not consistent even throughout Cicero's own works; the concept is always bent to the needs of the moment. Thus there is a moral contradiction between the way that certain kinds of behaviour are represented and construed in two different rhetorical contexts. Certain assumptions about behaviour (such as the idea that having sexual relations with older men or with freeborn married women is wrong) may inform the invective used by Cicero and his contemporaries but they do not form a rigid code. Rather they are susceptible to rhetorical manipulation. Hence we find, for instance, strikingly different 'spin' on the rather similar situations of Caelius and Verres vis-à-vis their youth and their relationship with women. Cicero might just as well have used the same line of argument about the

¹⁰⁴ Cf. Richlin 1992a: 18–25.

women with whom Verres was involved as he did in the case of Clodia had the context demanded it, but his aim in that case was quite different. Equally, women such as Clodia and Sempronia, like the men who bear the brunt of Cicero's attacks, are represented by some (Cicero and Sallust) as indulging in heinous behaviour and as the enemies of *pudicitia*, yet they evidently flourished in Roman society and were by no means pariahs. As much as an underlying code against which Romans could be measured, *pudicitia* was a rhetorical tool which fulfilled different functions in different situations.

The importance and centrality of *pudicitia* to Roman politics is not in doubt, but the precise behaviour that it required of Roman citizens is much less certain. Apart from anything else, humour was a very important element of invective, and its deployment was as much about humiliation as about serious accusation. *Pudicitia* is at the heart of a discourse that was designed to be hilarious as well as solemn. It is quite clear that there were certain topics that were used to insult individuals, but it may be that it was not so much *actual* sexual behaviour that was frowned upon, rather certain *representations* of behaviour that made it seem more or less shameful or inappropriate. In the world of oratory, then, *pudicitia* represented an ill-defined code of behaviour, to which it was not easy – and perhaps not even possible – to adhere so scrupulously that someone who wished to would be unable to charge you plausibly with transgression. The behaviour, appearance and practices relating to *pudicitia* were susceptible to rhetorical manipulation in public life as much as in declamation.

We must also bear in mind that the published works of Cicero partially represent Cicero's own attempt to construct and disseminate an ideology and a moral framework that is politically and socially expedient. The centrality of *pudicitia* in this scheme is partly a product of Cicero's own rhetorical aims. *Pudicitia* emerges from Cicero's writings as a real and powerful social and political concept, but one that pertains more to an individual's relationship with the community than to his or her actual sexual behaviour.

CHAPTER 7

Imperial narratives, imperial interventions

Juvenal's *Satires*, the novels of Petronius and Apuleius and Phaedrus' *Fables* have already given us a sense of the tenor of references to *pudicitia* in texts written during the imperial era. Such works focus on the futility of virtue, the perversion and strategic adaptation of moral values, and the intensification of the relationship between formal legal structures set up and imposed by the state and the personal morality of the individual. A key theme of many of the texts written in or after the first century CE is the articulation of the interaction between various means of moral regulation in Roman society. This chapter will examine in detail two further writers of the imperial era, Tacitus and Suetonius, and explore the way that the concept of *pudicitia* enters their works as a way of characterising political and social change under the empire. Legislation regarding sexual behaviour increases over the course of the first century CE (especially under Augustus and Domitian), and accusations of *impudicitia*, a matter of social and political embarrassment under the late Republic, become fatal; this is matched by an intensification of the discourses of depravity in these sources. They portray the degeneration of sexual morals as requiring the intervention of the state, but suggest that at the same time legislation itself is a tool of political manipulation. Under the emperors it becomes a means of imperial control of the elite through which they can scrutinise, terrorise and prosecute individuals, confiscating property and encroaching on their persons in a way that would not have been possible during the Republic. Imperial writers such as Tacitus, Suetonius, Martial, Juvenal and Statius portray a world in which *pudicitia* has become a pretext on which the emperor may defile the very person of the elite man or woman that *pudicitia* should be protecting.¹

¹ Cf. Fredrick 2003 on how the physically and socially protected status of the elite male was increasingly compromised under imperial political structures: 'the existence of the emperor breached this space, establishing the constant possibility of another, superior in power, invading the space around one's body' (208).

TACITUS (AND THE DESTRUCTIVE FORCES OF *IMPUDICITIA*)

Tacitus employs the word *impudicitia* in his works much more frequently than the term *pudicitia* – 16:6. This bare statistic gives something of the flavour of his writings: the emphasis is on vice not virtue, evoking the moral decrepitude of post-Republican Rome rather than providing routes to its moral salvation. Indeed, with the imperial biographers and historians we at last enter the realm of ‘lewd stories’ which have caught the imaginations of so many.

We have seen that *exempla* and foundation tales play an important role across many different genres of Roman literature in structuring and relaying the foundations of sexual ethics, and in providing raw material with which the moralist may work. The imperial era yields its own crop of exemplary anecdotes, many of which still flourish today. Tales that chronicle the vices of the empire, whilst drawing of course on new subjects, also rework traditional material.² Livy writes exemplary history, full of problems resolved and heroes to serve as models for the Rome of his day. Tacitus’ works are more or less empty of the salutary accounts of past deeds that make up so much of Livy’s history. And yet awareness of these – both of the exemplary past, of the Roman tradition of turning to it for moral guidance, and specifically of the Republican writers themselves – pervades Tacitus’ writing.³ Ancient Rome as inspiration is scarcely ever directly referred to; Tacitus’ works imply that it is no longer accessible as a model to help Romans climb out of their mire of depravity. Yet indirect reference is made, for example through the description of the lifestyle of the primitive German tribes, who turn out to have strong resemblances to traditional literary tropes of the antique Romans.⁴ There are also echoes throughout the work of the traditional narratives themselves such as those about Lucretia and Verginius: Tacitus tells his grotesque imperial tales by dismembering familiar stories and patching them together again, re-membering them for a new world. In the section entitled *Shadows of Lucretia*, I will focus on two of these new narratives and show how Tacitus reworks traditional ideas to bring out his views of the moral perversion of Rome under the imperial rule.

² See Rives 1999 on Tacitus’ reworking of old themes in new ways in order to accentuate the moral decline under the empire.

³ See Henderson 1989, reworked in 1998, Joshel 1995: 65–8; on the moral purpose of the *Annals* see Woodman 1998: 86–103 (discussing 3.65.1); cf. *Ann.* 4.33.2 where an exemplary function is mentioned.

⁴ See O’Gorman 1993, Rives 1999: 61–2, Joshel 1995: 68–9.

Germania: *the past is now another country*

In his *Germania*, Tacitus gives us a vivid description of the marital and sexual behaviour of the German tribes. As one expects from Roman ethnography, there is a moral dimension to the comparison between the barbarians and the Romans, and his description is as revealing about Roman mores as it is about German.⁵ The comparison is a rich one.⁶ Tacitus' description draws on elements of the description of ancient Roman mores, the *mores maiorum*, so that Germans become a model for Romans and a reproach to them that dwells on the inadequacy of contemporary Rome.⁷

17. tegumen omnibus sagum fibula aut, si desit, spina consertum: cetera intecti totos dies iuxta focum atque ignem agunt... nec alius feminis quam viris habitus, nisi quod feminae saepius lineis amictibus velantur eosque purpura variant, partemque vestitus superioris in manicas non extendunt, nudae brachia ac lacertos; sed et proxima pars pectoris patet.

18. quamquam severa illic matrimonia, nec ullam morum partem magis laudaveris. nam prope soli barbarorum singulis uxoribus contenti sunt, exceptis admodum paucis, qui non libidine sed ob nobilitatem plurimis nuptiis ambiuntur. dotem non uxor marito, sed uxori maritus offert. intersunt parentes et propinqui ac munera probant, munera non ad delicias muliebres quaesita nec quibus nova nupta comatur, sed boves et frenatum equum et scutum cum framea gladioque. in haec munera uxor accipitur, atque in vicem ipsa armorum aliquid viro adfert: hoc maximum vinculum, haec arcana sacra, hos coniugales deos arbitrantur. ne se mulier extra virtutum cogitationes extraque bellorum casus putet, ipsis incipientis matrimonii auspiciis admonetur venire se laborum periculorumque sociam, idem in pace, idem in proelio passuram ausuramque: hoc iuncti boves, hoc paratus equus, hoc data arma denuntiant. sic vivendum, sic pariendum: accipere se quae liberis inviolata ac digna reddat, quae nurus accipiant rursusque ad nepotes referantur.

19. ergo saepta pudicitia agunt, nullis spectaculorum illecebris, nullis conviviorum irritationibus corruptae. litterarum secreta viri pariter ac feminae ignorant. paucissima in tam numerosa gente adulteria, quorum poena praesens et maritis permissa: abscisis crinibus nudatam coram propinquis expellit domo maritus ac per omnem vicum verberare agit; publicatae enim pudicitiae nulla venia: non forma, non aetate, non opibus maritum invenerit. nemo enim illic vitia ridet, nec corrumpere et corrumpi saeculum vocatur. melius quidem adhuc eae civitates, in quibus tantum

⁵ The passage employs standard tropes and strategies for approaching writing about foreigners. See Rives 1999, Introduction: 15 with references in n. 2; O'Gorman 1993: 135: 'The *Germania* . . . is about Rome', using as illustration precisely passage 19.1–3 on *pudicitia*.

⁶ For instance, there is moral ambiguity in section 5.3–4, where it is not clear whether the relationship with silver and gold is a good thing; cf. O'Gorman 1993: 147 and her discussion of amber throughout.

⁷ See O'Gorman 1993 for Germania as a 'textual country' (135) that constructs a picture of contemporary Rome through its 'discourse of barbarian representation' (147).

virgines nubunt et cum spe votoque uxoris semel transigitur. sic unum accipiunt maritum quo modo unum corpus unamque vitam, ne ulla cogitatio ultra, ne longior cupiditas, ne tamquam maritum sed tamquam matrimonium ament. numerum liberorum finire aut quemquam ex agnatis necare flagitium habetur, plusque ibi boni mores valent quam alibi bonae leges.

20. in omni domo nudi ac sordidi in hos artus, in haec corpora, quae miramur, excrescunt. sua quemque mater uberibus alit, nec ancillis ac nutricibus delegantur. dominum ac servum nullis educationis deliciis dignoscas: inter eadem pecora, in eadem humo degunt, donec aetas separet ingenuos, virtus agnoscat. sera iuvenum venus, eoque inexhausta pubertas. nec virgines festinantur; eadem iuventa, similis proceritas: pares validaeque miscentur, ac robora parentum liberi referunt.

17. The covering for all is a coarse blanket fastened with a clasp, or, if they have none, with a thorn. Otherwise uncovered they spend all the day next to the hearth and fire . . . The dress of the women is no different from that of the men, except that the women are more often covered with linen cloaks and pick them out with purple dye, and the upper part of the garments does not extend into sleeves, the upper and lower arms are naked; but the upper part of the chest is visible too.

18. Nevertheless their marriage customs are strict, and there is no other part of their customs that you would praise more highly. For they are practically the only barbarians who are content to have one wife each, except for a very few, and these are not motivated by lust; it is their nobility that brings them many offers of marriage. The dowry is brought not by the wife to the husband, but by the husband to the wife. Parents and relatives are present and approve the gifts, and these are gifts not meant for the delight of women or for the decoration of the new bride, but are oxen, a bridled horse, a shield with a German spear, and a sword. The bride is taken in in exchange for these gifts and in her turn she brings some weapons to her husband: this they consider to be the greatest bond, these the arcane ritual objects, these the sacred marriage gods. Lest the woman should think that reflection on virtues and the circumstances of war are beyond her, she is warned by the very auspices which begin the marriage that she should become the ally of her husband in toil and in danger, to suffer and to dare in peace as in war: the yoked oxen, the battle-ready horse, the arms that are handed over all proclaim this. So she must live and so she must breed: receive herself what she shall hand down worthy and untarnished to her children, what daughters-in-law shall receive and what may be passed on again to grandchildren.

19. Therefore the women lead their lives with *pudicitia* protected, uncorrupted by any seductions of public spectacles or excitements of banquets. Men and women alike know nothing of the secrecy of letters. Among such a large population instances of adultery are extremely rare and the punishments are immediate and entrusted to the husbands: the husband casts the woman from his house in front of the relatives, naked and with her hair shorn off, and drives her with a lash through every street. There is no mercy for *pudicitia* which has been offered publicly: neither beauty nor age nor wealth will help her find another husband.

For there no one laughs at vices and this is not called The Age of Corruption. It is even better in those states where all brides are virgins and the wife's hopes and prayers are dispatched with once and for all. Then they accept one husband just as they accept one body and one life, so that they may think of nothing beyond this, and have no further desire, and may love not so much their husband as marriage itself. It is considered a shameful crime to limit the number of children or to kill any child that is born unrecognised by its father, and there good traditions have more authority than good laws do elsewhere.

20. In every home naked and dirty they grow up to have those limbs and bodies that we admire. Each one is breastfed by his or her own mother, and they are not handed on to slave girls or wet nurses. There is no distinction between master and slave in the luxuries of their upbringing: they spend their time among the same flocks on the same earth, until age separates the freeborn and courage marks them out. Young men come to sex very late, so that their virility is not exhausted. And young girls are in no hurry either; they reach the same youthful vigour and a similar height: equal and strong they copulate, and the children reproduce the robustness of their parents (Tac. *Germ.* 17–20).

The description of German dress which immediately precedes the discussion of sexual behaviour, and the image of the children naked and dirty that opens section 20, are designed to emphasise the distance between the lives of German tribespeople and the sophistication of contemporary Rome. They dress in rough blankets held together by thorns, and in the hides of animals which live in realms beyond the ken of most Romans. As much as the clothes themselves, it is the inappropriate nakedness which signals the difference: they wear nothing else under their blanket (*cetera intecti*, 'the rest uncovered'), the women's garments expose their arms and shoulders and upper chest, their children grow up naked and filthy.⁸ 'Nevertheless', despite all this colourful and grimy barbarity, Tacitus tells us at the start of section 18, 'their marriage customs are austere' (*quamquam severa illic matrimonia*): they take marriage seriously, indeed no other aspect of their traditions is more laudable.⁹

At first this severity is drawn in contrast with what one expects from barbarians, with the customs of other barbarian tribes: alone among the

⁸ Rives 1999 suggests that this description of the Germans' clothing is by analogy with the myths of ancient Rome where both men and women wore togas. For the nakedness of the Germans see also Caes. *BG* 6.21.45. On section 19 see Chapter 1 p. 64 above. There are similarities with Valerius Maximus' depiction of ancient Roman marriage customs, Chapter 3 above.

⁹ See also Caes. *BG* 6.21.45 and Hor. *Carm.* 3.24.17–24. Horace uses the same tropes of Golden Age primitivism in describing the barbarian nomads as better than Romans because of marriage systems where the only dowry is virtue and the penalty for adultery is death. Caesar's depiction of their attitude towards sex is more alienating; he represents them as most peculiar in thinking that sex is a terrible thing.

barbarians, Germans generally content themselves with one wife, and even when they have more this is for reasons of status rather than lust.¹⁰ Then in 18.2 comes the paradoxical, topsy-turvy otherness of the barbarian, familiar in ethnography:¹¹ contrary to the Roman way it is not the bride who brings a dowry to the groom in German custom, but the groom to the bride. Tacitus elaborates on this alien dowry system in a manner which leaves it quite clear that he approves roundly of the custom and of its implications. This sanctifying and formalising of the marriage bond through the exchange of agricultural and martial goods brings home to the new wife, in Tacitus' interpretation, what marriage is all about. It is about war and the land, hard work and suffering, the woman pulling her weight alongside her husband in every endeavour, it is about replenishing the German stock and handing down these same values to subsequent generations.¹² Female subjectivity is highlighted: the woman learns through ritual what she must think of marriage, how she must approach matrimony and conduct herself. Yet already in section 18 there is a darker note. Tacitus does not in fact formulate this idea in terms of teaching a girl how to behave constructively, he phrases it in preventative terms – of warning her off the dangerous paths down which she would tend to stray, where she would fall into the trap of believing that war and virtue and moral contemplation have nothing to do with her. Thus even this admirable race, Tacitus implies, suffers from the worm of moral laxity which threatens to eat away at its ethical practice, and already Tacitus is gesturing from this model of behaviour to its dark counterpart.

The unmistakable tone of moralising directed toward Romans becomes more resounding yet in the following section (19), which deals with adultery and sexual vice. Tacitus here describes the wholesome implications of the fierce pragmatism of German wedding arrangements. The moral stance of the wife, her subordination of her own wants to the larger forces of war and reproduction, which are inculcated by the matrimonial rituals and symbols, will fortify *pudicitia* itself: 'therefore they lead their lives with *pudicitia* protected' (*ergo saepta pudicitia agunt*).¹³ This 'therefore' refers to the preceding descriptions and presents *pudicitia*'s fortification as the consequence of

¹⁰ These two alternative motivations for excess matrimony that Tacitus allows – the brute compulsion of lust and the pragmatic acquisition of social status – must say something about Roman society, or at least Tacitus' view of it; cf. Suetonius on Augustus, below p. 351.

¹¹ See Rives 1999 ad loc., O'Gorman 1993.

¹² This mirrors, too, traditional Roman ideas about the central role of the mother in the education of her children and the handing down of moral codes, see Dixon 1988, esp. 170–77, Hemelrijk 1999: 60–71.

¹³ Cf. Chapter 2 p. 99 above.

German wedding traditions. Yet Tacitus also runs on without a pause into the rest of his sentence where he expands on the lifestyles of German women: 'corrupted by no seductions of the games, by no excitements of banquets'. Inevitably we are induced to make a comparison between these German women and the women who *are* in fact corrupted by these things: Roman women, surely, and especially those from the upper parts of society, since these are the fashionable forms of entertainment in contemporary Rome. In Germany, men and women, Tacitus adds, are equally ignorant of the clandestine forms of communication afforded by the alphabet. Literacy and sexual intrigue go together, as do corruption and luxury, in a more familiar pairing. These three short phrases evoke the glamorous and morally rotten world of Roman love elegy and Ovidian poetry.¹⁴

Thus the very simplicity of the Germans, their illiteracy, their lack of sophistication, ensure the integrity of their sexual morals. They are not exposed to the enticements of modern Roman society, and they wouldn't know how to pursue illicit sexual liaisons in secrecy even if they were so exposed. Tacitus follows by impressing us with emphatic, though vague, statistics: 'the Germans have very few instances of adultery in a sizeable population' (*paucissima in tam numerosa gente adulteria*). There is no *ergo* this time; there is no need to point up the logical connection between the extraordinarily low rate of adultery in a culture where enticements and incitements are not there and the punishments are harsh.¹⁵ For the unequivocal punishments for the adulterous woman (and we are still focused on the control of female morality) is the next topic.

Tacitus notes first the central role of the husband in disciplining the wife who presumably has been caught in adultery. The rituals of the repudiation are public, visually impressive and humiliating: her hair is cut off,¹⁶ she is stripped naked, and she is driven from the house that is no longer hers and flogged by her husband through the streets of her neighbourhood. Everyone can see her shame and know what she has done.¹⁷ Tacitus' stern

¹⁴ All three themes, for instance, are to be found within the pages of Ovid's *Ars amatoria* as part of the erotic teacher's counsel to the would-be lover: the erotic potential of spectacles at *A. A.* 1.89–100, banquets at *A. A.* 1.229–40 and clandestine letters at *A. A.* 1.437–58. What we may be seeing here is generic interplay such as we also find at the end of *Lucr.* 4, where the clichés of love elegy are used in other genres to evoke a picture of a society enslaved to illicit passions. The relation of wine and lust is also a commonplace in Roman literature. Further references to love elegy can be found in Rives 1999 *ad loc.*; see also Chapter 4 above.

¹⁵ Cf. *Plin. Nat.* 10.104, discussed at the start of Chapter 4 above, p. 219; cf. also the description of the *Silones* at *Germ.* 45.9 who are dominated by their women and described therefore as living in a state lower than slavery.

¹⁶ A punishment also referred to in Greek and Roman new comedy, see Rives 1999: 203–4.

¹⁷ The visibility and publicity is a significant feature of the punishment, mirroring the *pudicitia* itself.

phrase sums up the German attitude (and as it does so betrays a sense of the contrasting Roman weakness): 'there is no mercy shown to *pudicitia* once it has been prostituted' (*publicatae enim pudicitiae nulla venia*). The Germans do not forgive an adulterous woman, and she will remain an outcast from society even after the hair has grown back and she has found clothes again; no man will take her as his wife no matter how attractive or wealthy she may be.¹⁸

The phrase *pudicitia publicata* – '*pudicitia* made public' – with which Tacitus refers to the crime of such a woman gives us some sense of how he conceives of the crime and what part *pudicitia* plays. A married woman who has had sex with someone other than her husband has torn down the fences of *pudicitia* which should be shielding it from the outside world and keeping it safe within the confines of her husband's home. The *publicata* (made public) of this phrase should be contrasted with *saepta* (enclosed, protected) at the beginning of the section: the metaphor is of a moral fortification – the protective enclosure which adultery breaches. Here the term *pudicitia* is not used for the moral quality itself, but for the vulnerable physical state which moral strength protects. Indeed in this phrase *pudicitia* stands for the body itself; *publicare* is to make one's body publicly available, to prostitute oneself.¹⁹

In this phrase we find no distinctions between a single adulterous liaison, general promiscuity and prostitution. In mainstream modern western ideologies these kinds of behaviour would be clearly marked out from one another in moral and other terms, whatever one's moral stance. Indeed generally any moral issues associated with the idea of prostitution today belong to a different area of morality from those associated with these other forms of sexual conduct of the individual.²⁰ In Tacitus' text, however, any kind of sexual contact outside the marriage soils and prostitutes *pudicitia*; the motivation (love, lust, desperation) and the presence or absence of financial transaction which would make a difference to modern conceptualisations are not at issue. This way of describing adultery allows no importance to the individual alliance between the married woman and her sexual partner. Indeed the figure of the *adulter* (adulterer), the man with whom she must have conducted her adulterous relationship, is strikingly absent from this

¹⁸ Compare the 'legalised intemperance' of remarriage in Valerius Maximus, Chapter 3 above, p. 128.

¹⁹ More generally *publicare* means to place at the disposal of the community and make publicly known or available. Referring specifically to prostitution it is rare in our extant sources, although the pun '*publicana*' at Cic. *Verr.* 3.78 suggests his audience's familiarity with this nuance of the term. Cf. Plaut. *Bacch.* 863 where the verb is used by a man who is acting the part of an outraged husband, accusing his wife of being unfaithful: *quae corpus publicat volgo suom*. See also Adams 1983: 343–4.

²⁰ See Shrage 1994.

discussion: there is no information about how such a man might have been regarded or treated. This curious absence, and the word *publicata*, hint that such behaviour in a married woman is nothing to do with her feelings for any particular man; such a woman's sexual favours have been made commonly available, on sale to all – she will let anyone fuck her.²¹

This lack of nuance in the depiction of the adulterous woman, the focus on this particular sexual crime and participant, and the note of bitter contempt are all noteworthy. As a contrast one might think of Dante's romantic and sympathetic depiction of the adulterous pair Paolo and Francesca – sinners no doubt, since they are eternally tormented in his inferno, and yet their relationship is told as a tragically doomed love affair.²² There is no place for such a story in the moral system which this passage builds. Tacitus' passage does not comprehend the likes of Paolo and Francesca.

As this short section proceeds it becomes ever clearer that while Tacitus writes about Germany he is thinking of somewhere else. In Germany no one laughs in the face of moral disgrace or boasts that this is the age for corrupting and being corrupted.²³ But there *is* a place, it is implied, that looms large in the writer's mind where these things are true, and inevitably that place is Rome. While in that dark, exciting place vices are thought of as entertaining, in Germany tampering with natural reproduction in any way – whether through birth control, abortion or exposure of infants – is held to be a shameful and immoral act. The implicit reference to the Roman efforts to limit their offspring is a theme, like that of the horrors of adultery, that occupies Tacitus elsewhere.²⁴

Thus in the shadows of this monument to solid and austere German ethics we glimpse the grotesque portrait of contemporary Rome: women mingle publicly with men, surrounded by the seductive lure of the spectacles, overstimulated with wine and disreputable company; networks abound of secret adulterous communications by letter; disgraced women buy their way out of scandal with good looks or youth or money, worthless men

²¹ This way of thinking about adultery which seems not to allow for modern distinctions, particularly those between adultery and prostitution, is not merely part of a Roman fantasy about a primitive world before such distinctions came into play, but is a recurrent theme in Tacitus' works – see for example *Ann.* 2.85. Cf. Suet. *Tib.* 35.1–2, discussed later in this chapter, p. 358.

²² Dante, *Inferno* 5.73–142.

²³ This pairing of passive and active forms of verbs in a sexual context is a familiar one, reflecting Roman ideas about the processes of corruption that we have encountered elsewhere; see especially Chapter 6 above and the end of Chapter 4 on the Bacchanalia.

²⁴ Deliberate childlessness is elsewhere a common target of moralising attack across the genres (see Eyben 1980). Abortion is censured, for instance, in *Ov. Am.* 2.14, *Plin. Nat.* 10.172, *Juv.* 6.595–7. For endemic childlessness and its attempted remedies see Tac. *Ann.* 3.25.1, discussed below. Cf. Dixon 2002: 56–65 on the moral discourse of abortion, Edwards 1993: 51.

are willing to take such women as wives; and all this buoyed up by the notion that this is all a good laugh, a bit of a joke, and the smug, debased self-indulgence of a society that is amused, even flattered, to call itself the 'Age of Corruption'.²⁵

Meanwhile the picture of the Germans that emerges is reminiscent of that painted in other sources of the virtuous *maiores*.²⁶ The allusion to this tradition of the crude and virtuous rusticity of Roman forebears is designed to make a point about Roman morals of the day. In Tacitus' day, he is suggesting, the exemplary system is crumbling: the pristine values are no longer passed down from parent to child intact and Romans no longer turn to tales of their ancestors for moral guidance. In a more virtuous past the description of ideal sexual *mores* he has just given would have been told of Roman forebears, and Romans would have listened with national pride and a determination to live up to the virtues of former generations. This is the way that a healthy society should maintain its ethical momentum, and the healthy German society has been described in just these terms, as one in which worthy mothers preserve societal values and transmit them to their children and children-in-law. Contemporary Roman society, on the other hand, has become one where the virtuous past is more or less forgotten, if not derided; no longer do Romans learn its salutary lessons. The structures of the ancient way of life that was so simple and good are not preserved in the tales that mothers tell to their children. Instead they are preserved in the lifestyle of a race so barbarous that they dress in blankets fastened with thorns. An elegant Roman can hardly be expected to learn about virtue and excellence from such a source. However admirable their limbs and their customs, the savage tribes from the edges of the Roman empire cannot provide a fully satisfactory model for the contemporary Roman, so their moral integrity remains tantalisingly out of reach for the Roman reader, sealed within the Germans' own system of ethical education. The next generation of Germans will benefit, but the Roman youth will not. The following passage (20.2) leaves us with a more salubrious image of mature strong-limbed Germans mating heartily,²⁷ while the Romans are doing their best to suppress natural childbirth. All this is implied in the description of the Germans as a distorted vision of Roman *maiores*. Roman

²⁵ Compare Cicero's disdain for the mechanisms of comedy, which rely on people laughing at *flagitia* (shameful crimes), at Cic. *Tusc.* 4.68. Tacitus' painful, yet salacious and sardonic, portrayal of his Roman society is reminiscent of the cynical satire of inter-war London in the early novels of Aldous Huxley.

²⁶ See O'Gorman 1993. References to this ideal in satirical sources from the post-Republican period are found in Ov. *A. A.* and *Juv.* 6; cf. Wallace-Hadrill 1982 and Chapter 3 above.

²⁷ Cf. Caes. *BG* 6.21.45 and n. 8 above.

society has sunk so low that ironically all that remains of the ruddy virtue of ancient times is its dim reflection in the description of a sordid and alien race.²⁸

Tacitus also means to comment on the relationship, and the distinction, between law and ethics.²⁹ He ends section 19 with the sententious 'in Germany, good customs have more influence than do good laws elsewhere' (*plusque ibi boni mores valent quam alibi bonae leges*).³⁰ We may note that the ethics of the Germans, although contrasted with the moral laxity of the Romans, also correspond closely to Roman law as we understand it from other sources: virgin brides, humiliating punishment for adultery meted out by husband, single spouse (at least at any one time).³¹ His description of the virgin girls who have no aspirations beyond this one marriage recall the ideology of the *univira*.³² Tacitus suggests, however, that in the Rome of his own day there is considerable distance between the legal prescriptions and the actual behaviour of the citizens.

Annals Book 3: a brief history of morality

Some twenty years later in his career, Tacitus returned to the theme of the relationship between instinctive morality and the law in a digressive passage sketching a brief history of human morality which comes in *Annals* 3.26. The digression is triggered by a central episode in the book – a description of Tiberius' modification of Augustus' law encouraging marriage and childbirth, the *Lex Papia Poppaea*. The book has a strong female presence, and a pervasive theme is the sickly spread of sexual immorality throughout society.³³ Immediately preceding this digression is Tacitus' account of the

²⁸ Compare the attribution of *pudicitia* to Boudicca and her daughters in Tac. *Ann.* 14, in contrast to the Romans during the reign of Nero, who have preserved nothing of it at all; 14.15.3: 'It is hard enough to maintain *pudor* even in decent surroundings; amongst this competition of vices neither *pudicitia* nor modesty nor any trace of any good morality was preserved' vs. 14.35.1: 'Boudicca, carrying her daughters before her in her chariot, approached each tribe and proclaimed that it was the custom for Britons to wage war under a female leader, but now she was not leading them because of her great lineage and power and wealth, but to avenge herself as one of the people who had lost her liberty, to avenge her body marked with beatings, the soiled *pudicitia* of her daughters.'

²⁹ Rives 1999 calls this distinction 'a commonplace of Roman moralising' (206). Cf. Hor. *Carm.* 3.24.35–6.

³⁰ See Sinclair 1995 on *sententiae* in Tacitus and in Roman society more generally.

³¹ Cf. Introduction above on the laws; Treggiari 1991: 264–71. ³² See Chapter 1, pp. 61–4.

³³ For an incisive account of the overall structures and themes of Book 3 see Woodman and Martin 1996, Introduction; for the illnesses of the main protagonists of this book as reflecting the ills of contemporary society, see *ibid.* p. 17; as the authors point out, Book 3 begins and ends with women: from the return of the grieving Agrippina to Italy to the death and magnificent Republican funeral of the wealthy Junia Tertulla.

trial of Aemilia Lepida and return of D. Silanus, who had previously been exiled for adultery under the terms of Augustus' *Lex Iulia*.³⁴ Aemilia Lepida is accused of having pretended to have borne a child to her former husband.³⁵ As Ellen O'Gorman points out, the episode ties into the Tacitean theme of woman as the embodiment of family and the symbol of both past and future. By falsely claiming to be a link between the generations, Aemilia disrupts the proper order of things.³⁶ Mention of Silanus becomes the occasion for a brief Tacitean comment on the excessive harshness of Augustus' attitudes towards adultery and the *impudicitia* of his daughter and granddaughter. The digression emerges, then, from treatments of sexually immoral behaviour in post-Republican Rome, and it comes in the context of the increasing tendency of Romans to pursue a single and childless state and to resist bearing children,³⁷ which had been the ostensible reason for Augustus' legal measures. Tacitus describes how, in CE 20, Tiberius' government seeks to amend the *Lex Papia Poppaea* instituted by Augustus in CE 9, which set up penalties (the confiscation of property) for those who remained unmarried or without children. This law had not, Tacitus tells us, succeeded in changing sexual habits, but had led only to a growing number of prosecutions, due to the presence of spies informing on household arrangements. The main objective of the legislation, one might conclude from reading Tacitus, was to facilitate the investigation and prosecution of the elite as a means of consolidating imperial power, and accusations of *impudicitia* become a more deadly political tool than they had been under the Republic. In comment on this situation, we find a sententious statement that answers the one cited above from the *Germania*: 'society began to suffer from the laws themselves as they had formerly suffered from the crimes' (*utque antehac flagitiis ita tunc legibus laborabatur*, *Ann.* 3.25.1). His digression on the history of the development of laws in human history follows:

³⁴ The names of the characters involved in these episodes – Blandus and Lepida – both mean 'sweet-talkers' and evoke an age in which people are taken in by smooth-talking, just as in the cases of Pontia and Octavius discussed below. On the names see further Woodman and Martin 1996: 221.

³⁵ See Woodman and Martin 1996: 210–13 for differing interpretations of what is happening in this trial and its chronology. Certainly, Lepida appeals plausibly before the people in the theatre, and her lamentation is subsequently shown, by the testimony of her tortured slaves, to be deceitful. Woodman and Martin 1996 give references to Roman sources where we find the trope of substituting a child (Plaut. *Cist.* 120, 547, *Truc.* 19, 85; the Verginia story in Livy; Quint. *Decl.* 338; Juv. 6.602) and some bibliography.

³⁶ O'Gorman 2000: 60; cf. Tac. *Ann.* 2.37–8 where Hortensius Hortalus fails to persuade Tiberius to give him the same support for the future of his family as he received from Augustus. At *Ann.* 14.8.5 Agrippina the Younger also evokes this role in her request that her killer strike her in her womb – 'a symbolic blow to the future of the Julio-Claudian family' (O'Gorman 2000: 141).

³⁷ On which see Woodman and Martin 1996: 233–61.

vetustissimi mortalium, nulla adhuc mala libidine, sine probro, scelere eoque sine poena aut coercionibus agebant. neque praemiis opus erat cum honesta suoapte ingenio peterentur; et ubi nihil contra morem cuperent, nihil per metum vetabatur. at postquam exui aequalitas et pro modestia ac pudore ambitio et vis incedebat, provenire dominationes multosque apud populos aeternum mansere. quidam statim aut postquam regum pertaesum leges maluerunt. hae primo rudibus hominum animis simplices erant.

The very earliest human beings used to live their lives with as yet no wrongful desires, without wickedness and moral disgrace, and therefore without punishments or penalties. Neither was there need for rewards when what was right was sought on its own merit; and since they desired nothing that was against their moral code (*contra morem*), there was nothing forbidden to them by fear. But after equality was stripped away and ambition and violence triumphed over modesty and *pudor*, tyrannies arose and stayed permanently among many peoples. Some preferred laws right away, or once they had become disgusted by monarchies. At first these were rudimentary, owing to the simple minds of the people . . . (*Ann.* 3.26.1–3).³⁸

In ancient times people had no need of penalty and coercion, since they were not affected by wrongful impulses towards vice and crime, no *libido* needed to be restrained or punished. These simple folk desired nothing that was *contra morem*. This latter is a tricky phrase to translate and interpret; here *mos* is contrasted with law, and seems to denote a sort of instinctive and natural law or code of behaviour, a traditional system of good conduct. But want, the destructive raw impulse which results from social inequality, allows such evil forces as *ambitio* (ambition) and *vis* (violence) to triumph over *modestia* and *pudor*, the internal governing forces which have hitherto guided human conduct.³⁹ After this passage, the story continues with the introduction of the first laws in Crete and Sparta and Athens, and then the development of Roman political structures under the kings, and the Twelve Tables. According to Tacitus, this latter was the last just legislation; subsequent laws were contradictory and self-serving, passed only to serve the interests of certain groups or individuals.⁴⁰ Laws, indeed, were the instruments of vice, and their effects could be worse than those of the crimes

³⁸ Rives 1999 cites ad loc. Ov. *Met.* 1.89–90, Sen. *Epist.* 90.46, Tac. *Ann.* 3.26, Sal. *Cat.* 9.1, as examples of this narrative of the development of human society.

³⁹ *Libido* – this raw force toward the bad – is not here used in a specifically sexual sense, although its meaning embraces that of sexual desire.

⁴⁰ For a discussion of Tac. *Ann.* 3.25–6 as Tacitus' attempt to show the reader how Roman law had always been subject to political manipulation, see Sinclair 1995: 68–71 and compare Janan's argument, influenced by Lacan, that a similar message emerges from Livy on Appius Claudius or Propertius 4.11: during the Struggle of the Orders, law was an instrument of male patrician power (Janan 2001; see above Chapters 2 and 4).

themselves, as in the case of Pompey's third consulship; during the twenty years of chaos that followed there was neither *mos* nor *ius* (neither morality nor law) until Augustus introduced the severe *Lex Papia Poppaea* – itself self-serving legislation – which went too far and caused terror throughout society.

Here, as in the *Germania*, Tacitus suggests that formal laws are not able to contain society's vices. What is needed are *mores*, the traditions and the moral codes which breed people without *libido*, or at least with sufficient strength of qualities such as *modestia* and *pudor* that *libido* can be controlled.⁴¹ In addition, the endemic of childlessness that Tacitus describes in both texts, despite his expressed distaste for the Augustan laws set up to deal with the problem,⁴² is held up as evidence of the barren society that is not only failing to pass on the ancient moral values to the next generation, but is even losing altogether its generative will. As we shall see in the course of this chapter, preoccupation with the relationship between *mores* and legislation runs right through the writings of both Tacitus and Suetonius.

Shadows of Lucretia

Many of the narratives in Tacitus' works recast the elements of traditional narratives about *pudicitia*, especially the story of Lucretia. I shall argue that when imperial writers write about women and sex they often have Lucretia on their minds (particularly, as far as can be judged, Livy's Lucretia), and that they self-consciously describe women in terms of perversions of her ideal and tell their stories as distortions of the traditional tale (and less frequently of traditional figures from Greek literature such as Penelope, Phaedra, Medea or Pasiphae). The passages discussed in this section are Sejanus' seduction of Livia at *Annals* 4.3, the story of Julia and her lover Sempronius Gracchus at 1.53, the fates of Pontia and Poppaea at 13.44–6, the description of Agrippina the Younger at 12.7.3, and a selection of passages which refer to sexual intimacy between freeborn women and slaves.

(i) Sejanus and Livia (Annals 4.3)

The first such tale concerns Sejanus' seduction of Livia in CE 23 in order to bring her into a plot to kill her husband Drusus. His plan, which marks the

⁴¹ Cf. Hor. *Carm.* 3.24.35–6: 'What use are empty laws without morals?' and the *Roman Odes* (3.1–6), esp. 3.6 on sexual morality.

⁴² *Ann.* 3.24 and 3.28, and below pp. 347–8.

beginning of a horrible decline in Tiberius' reign (and, as part of Sejanus' masterplan to take over the Roman empire, could have been a turning point in history to set against the expulsion of the kings), is successful and comes to fruition in *Annals* 4.8. This narrative pursues to their horrifying conclusion the implications of an adulterer's successful conquest of *pudicitia*, and provides a self-conscious parallel to Livy's story of Tarquinius and Lucretia (Livy 1.57.6–59.3) with a very different outcome (and with all the gleeful cynicism which we expect from Tacitus). What might have happened if Tarquinius had succeeded in corrupting Lucretia's mind as well as her body? This account suggests some possible answers:

igitur cuncta temptanti promptissimum visum ad uxorem eius Liviam convertere, quae soror Germanici, formae initio aetatis indecorae, mox pulchritudine praecebat. hanc ut amore incensus adulterio pellexit, et postquam primi flagitii potitus est (neque femina amissa pudicitia alia abnuerit), ad coniugii spem, consortium regni et necem mariti impulit. atque illa, cui avunculus Augustus, socer Tiberius, ex Druso liberi, seque ac maiores et posteros municipali adultero foedabat ut pro honestis et praesentibus flagitiosa et incerta expectaret.

Considering all options it seemed easiest to resort to the help of Drusus' wife Livia, the sister of Germanicus, who had not been particularly attractive when young, but had grown into a great beauty. He enticed her into committing adultery by pretending to be inflamed with love for her, and after he had managed this first crime (and once a woman has lost her *pudicitia* she will not refuse to do anything else), he drove her towards hopes of marriage, a share of power and the murder of her husband. And so she, whose uncle was Augustus, whose father-in-law was Tiberius, and whose children were fathered by Drusus, fouled herself and her ancestors and her descendants with a provincial adultery hoping to obtain scandalous and uncertain benefits in exchange for those honest goods that she already possessed (*Ann.* 4.3.3).

Like Livy's account of Lucretia's fate, the story begins with an impatient schemer and another man's beautiful wife. However, the key phrase unlocking this comparison is one that echoes the famous words of Lucretia in Livy's history: 'How can anything be well for a woman who has lost her *pudicitia*?' (*quid enim salvi est mulieri amissa pudicitia?*).⁴³ Lucretia's maxim laments the fate of any woman whose sexual integrity is impaired – and in the context of the story she refers to *pudicitia* as physical integrity, rather than moral. Tacitus' maxim – 'and once a woman has lost her *pudicitia* she will not refuse to do anything else' (*neque femina amissa pudicitia alia abnuerit*) – with reference to Livia, exposes a woman whose moral fibre has

⁴³ Livy 1.58.7. See Chapter 2 above, p. 92, for a discussion of this passage.

been rendered so wholly rotten by the loss of *pudicitia* that she will now yield to the slightest pressure.⁴⁴

Livy's Lucretia eventually surrendered her body under the pressure of Tarquinius' threat of posthumous disgrace; Livia has surrendered everything that *pudicitia* embraces – physical, marital and moral integrity – to something far more shameful: seductive flattery. Whereas Tarquinius had to work through the whole gamut of persuasive techniques before he found one that would move Lucretia, Livia's defences fall at the first attempt – the profession of love. To make matters worse, in true Tacitean vein Sejanus' love is not even genuine; his passion is feigned and his desire is really for other things. Even though Tarquinius' desire for Lucretia may have been, in the context of Livy's tale, a function of his tyrannical nature and his desire to take what another man has, yet at least it is Lucretia herself on whom he has set his sights. In Tacitus' account Livia is merely used by Sejanus as means to another end – ridding himself of Drusus. To add to the humiliation, Sejanus chose Livia as his means of destroying Drusus, because it seemed to him much the easiest (*promptissimum*); before the process was even started he knew he only had to nudge her and she would fall, taken in and flattered by his pretended love for her.

Once Livia's *pudicitia* has been destroyed she is open to anything, and she then provides the breach in the defences of her husband's home. Through Livia, Sejanus has access to the heart of Drusus' home and marriage, and ultimately the opportunity to destroy everything including the man himself. Not only this, but as a wife and mother Livia is the nexus between her birth family and the family of her husband, and between her ancestors and future generations born from her. Her corruption places at risk far more than merely herself and her husband. Once she is sodden with it, the moral poison is able to seep in all directions and to stain the past and the future: 'she fouled herself and her ancestors and descendants' (*seque ac maiores et posteros foedabat*).⁴⁵

⁴⁴ Martin and Woodman 1989 make the point that the implicit comparison with the Lucretia story 'illustrates the inversion of the moral order' (93). The two commentators are in disagreement about whether the phrase is intended to be a generalisation about women or to pertain only to the specific circumstances; while Martin holds the former view, Woodman comments that Tacitus is unlikely to have written a statement that was so counterfactual – but perhaps that may be its beauty, since it brings home how far things have changed since the early Republic. In the light of Ciceronian invective, and if *pudicitia* is seen as a moral quality, it certainly has some logic.

⁴⁵ Cf. O'Gorman 2000: 69 for the well-born imperial woman as '*imago* of her ancestry and, through her child-bearing potential, as a figure of the future', exemplified by Agrippina the Elder, see below, and cf. S. Wood 1988: 409. Messalina makes a failed attempt to appeal to this role at Tac. *Ann.* 11.34 (cf. O'Gorman 2000: 116–17 on this passage and Joshel 1995: 60 on Messalina's disruption of familial boundaries).

The tale eloquently expresses the dangers of a morally weak wife, and in this respect conveys a similar message to that of Livy's story of Lucretia – a traditional and familiar message about how much is at stake in the preservation of married women's *pudicitia*.⁴⁶ However, Tacitus' tale is not an *exemplum*. There is no uplifting moral and the sordid events play themselves out to the end in Drusus' death and beyond. In fact, as the book progresses, we will see how Tacitus depicts this era as one in which the rottenness of a woman such as Livia can ultimately overcome even the absolute moral rectitude of a woman such as Germanicus' wife Agrippina, who is herself uncorruptable. After the success of Drusus' murder, Sejanus begins to consider how he can bring about the death of Germanicus' children. This time he cannot use the same methods as in the case of Drusus, partly because there are three children, and they are well guarded, but primarily because of *pudicitia*:

neque spargi venenum in tres poterat, egregia custodum fide et pudicitia Agrippinae impenetrabili.

He could not poison three at once, since the guardians were thoroughly trustworthy and the *pudicitia* of Agrippina was impenetrable (*Ann.* 4.12.2).

Initially, whereas Livia's virtue crumbled at Sejanus' first amorous posture, Agrippina's virtue is a fortress within which her children are well protected. In contrast to Livia, whose behaviour is thrown into relief beside this rare instance of virtue in Tacitus' pages, Agrippina is sexually impenetrable and incorruptible and this renders her household impenetrable too and her children safe.

And yet they are not necessarily secure, despite this staunch *pudicitia* of their mother, for in the world that Tacitus depicts there are too many other weak people who provide weak points in the defences against wicked schemers such as Sejanus. Sejanus is able to work through others towards the destruction of their protector Agrippina. He works in particular through Livia, who is susceptible to manipulation since she is already implicated in his murderous web on account of 'her recent complicity' in the death of Drusus (*recentiam Liviae conscientiam*). Sejanus works on the emperor's attitude to Agrippina through a chain of influence held together by adulterous

⁴⁶ Another, less dramatic instance of this can be found in the story of the notorious Julia and her lover Sempronius Gracchus at *Ann.* 1.53. Here Julia's death is reported, and we are reminded that she was banished by her father to Pandateria on account of her *impudicitia*. She too was involved in adultery, but worse, was consequently induced to plot against her husband; cf. Poppaea and Nero, discussed below.

links:⁴⁷ he leans on Livia, who in turn leans on Julius Postumus, who leans on his lover Prisca, who leans on her friend Livia Augusta, who leans on her son Tiberius. Eventually her downfall is brought about when her cousin Claudia Pulchra is accused of *impudicitia* (4.52.1), and later Agrippina herself is accused of *impudicitia* by a vengeful Tiberius (6.25.2).⁴⁸ Thus the protective force of Agrippina's moral integrity is gradually undermined with the aid of the powers accruing to vicious practices.

(ii) 'Remarkable *impudicitia*': the stories of Pontia and Poppaea (*Annals* 13.44–6)

Two stories linked thematically by Tacitus as instances of 'remarkable *impudicitia*' (*insignis impudicitia*, at the start of section 45) appear consecutively in *Annals* Book 13. This phrase, describing them as tales of extraordinary, eminent *lack* of *pudicitia*, indicates that they are to be read as the utter negation of all that the traditional figure of Lucretia stands for. Between them they run the events of Lucretia's own story jerkily back to front; one after another familiar narratological details or turns of phrase recall Livy's account of Lucretia's encounter with Tarquinius, but the events happen in the wrong order and for the wrong reasons. First comes the sordid tale of the affair between Pontia and Octavius Sagitta:

... Octavius Sagitta plebei tribunus, Pontiae mulieris nuptae amore vacors, ingentibus donis adulterium et mox ut omitteret maritum emercatur, suum matrimonium promittens ac nuptias eius pactus. sed ubi mulier vacua fuit, nectere moras, adversam patris voluntatem causari repertaque spe ditioris coniugis promissa exuere. Octavius contra modo conqueri, modo minitari, famam perditam, pecuniam exhaustam obtestans, denique salutem, quae sola reliqua esset, arbitrio eius permittens. ac postquam spernabatur, noctem unam ad solacium poscit, qua delentis modum in posterum adhiberet. statuitur nox, et Pontia consciae ancillae custodiam cubiculi mandat. ille uno cum liberto ferrum veste occultum infert. tum, ut adsolet in amore et ira, iurgia preces, exprobatio satisfactio; et pars tenebrarum libidini seposita; ex qua quasi incensus nihil metuentem ferro transverberat et adcurrentem ancillam vulnere adsterret cubiculoque prorumpit. postera die manifesta caedes haud ambiguus percussor; quippe mansitasse una convincebatur. sed libertus suum illud facinus profiteri, se patroni iniurias ultum esse; commoveratque quosdam magnitudine exempli, donec ancilla ex vulnere reffecta verum aperuit.

... Octavius Sagitta, a tribune of the plebs, demented with love for Pontia, a married woman, purchased, with enormous gifts, first adultery and then her dismissal of her husband, offering her marriage and becoming betrothed. However, once she

⁴⁷ See Sinclair 1990: 74 for the suggestion that Tacitus' second version of Drusus' death (dismissed as rumour) rests on the idea that Sejanus' power is derived through his sexual domination of others.

⁴⁸ See below, p. 344.

was free she began to fabricate delays on the pretext of her father's opposition, and having secured the hope of a richer husband, she withdrew what she had promised. Octavius, for his part, now wept and now threatened her, protesting his ruined reputation, his lost fortune, and at last resting his life, which was all he had left, on her decision. When he was spurned he asked for one more night with her to soothe him and said that thus consoled he would control his passion thereafter. The night was agreed upon, and Pontia ordered a slave girl who was in her confidence to guard the bedroom. He, accompanied by one freedman, brought a sword concealed in his robes. Then, as always where there is love and anger, there were insults and entreaties, reproaches, apologies. And part of the night was given up to sex, after which, when she was not on her guard, as if incensed he plunged his sword into her, frightened away the maid who was running to her aid by wounding her, and burst out of the bedroom. The next day the murder was brought to light and there was no doubt as to the perpetrator; it was proved that they had spent some time together. But the freedman claimed that the deed was his and that he had avenged the injuries done to his master. He had some people impressed by the greatness of his example, until the slave girl recovered from her wound and exposed the truth (*Ann.* 13.44.1–4).

The story begins rather than ends with the act of adultery. As in the case of the other women of the early empire, the woman is easily won, and this time her shameful reasons for capitulation seem to be financial: he buys (*emercatur*) the adulterous sex with huge gifts (and she later rejects him for a richer man).⁴⁹ It is only after this that she begins to resist his advances – after she has already succumbed to an adulterous affair, after she has broken off her marriage, after she has pledged herself to him. Pontia wards off her suitor's demands for marriage by 'weaving delays' (*nectere moras*) and being devious. This is surely a reference to one of the most long-standing and well-known classical paragons of wifely virtue, Penelope, who literally wove and deceived in order to delay marriage to her own suitors. Penelope employed her wiles out of devotion to her husband Odysseus, out of the conviction that he would return to her eventually and that she should remain faithful.⁵⁰ Pontia is putting off her suitor *after* she has already abandoned her husband and accepted his proposal, and because she has found a better prospect (and of course 'better' means not 'endowed with greater virtues' but 'richer').

At this stage in the affair Octavius must take on the role that recalls the persuasive Tarquinius at Lucretia's bedside, alternately wheedling and threatening.⁵¹ Like Tarquinius he gets nowhere at first, but his entreaties are an inversion of those of Tarquinius: instead of threatening the woman's

⁴⁹ Cf. the figure of Arete in Apul. *Met.* 9.17–21, discussed in Chapter 4 above, p. 240.

⁵⁰ Hom. *Od.* 19. 137–50, Ov. *Her.* 1. See discussion in Chapter 4 above.

⁵¹ Cf. Livy 1.58.3: *miscere precibus minas*, see Chapter 1 above, pp. 88–91.

life, he lays his own life at her feet; instead of threatening her reputation, he invokes his own, already ruined.

As we continue to wend our way strangely through the plot of Lucretia's story, we reach the fateful night, the bedroom entered, the satisfaction of sexual desire, and then the woman run through with a sword that has been hidden in clothing. However, once again the arrangement of these elements is novel. Lucretia is killed by her own hand so that she may not live, as she explains, to set a bad example to other women; she conceals the weapon from her own relatives so that they will not prevent her from carrying out this plan. Pontia dies brutally at the hand of a spurned lover, who also lashes out at her maid and is eventually prosecuted for murder. In a nice touch, Tacitus recalls Lucretia's undying exemplary force through his depiction of the behaviour of the loyal freedman. Octavius' freedman attempts to shield his master by claiming that it was he who struck the fatal blow, and Tacitus comments: 'some people were affected by the greatness of his *exemplum* . . .' (*commoveratque quosdam magnitudine exempli* . . .). The verb *commovere* – to impress, affect – denotes the arousal of emotional response to virtue that traditionally an *exemplum* should excite.⁵² At its opening this sentence offers the possibility that something is still alive even in the moral desert that Rome has become, great courage and loyalty can still affect people, *exempla* might yet save the city's atrophied soul, something that responds to nobility is stirring . . . And then the second half of the sentence dashes all our hopes of revival; once the slave girl recovers, the truth is out, the freedman's lie is exposed, the cynical truth crushes out the notions of the naive few, and the brief flash of excitement dies away completely.

Immediately following is the story of how the wanton Poppaea Sabina became Nero's wife:

non minus insignis eo anno impudicitia magnorum rei publicae malorum initium fecit. erat in civitate Sabina Poppaea . . . huic mulier cuncta alia fuere praeter honestum animum. quippe mater eius, aetatis suae feminas pulchritudine supergressa, gloriam pariter ac formam dederat; opes claritudini generis sufficiebant. sermo comis nec absurdum ingenium: modestiam praeferre et lascivia uti. rarus in publicum egressus, idque velata parte oris, ne satiaret aspectum, vel quia sic decebat. famae numquam pepercit, maritos et adulteros non distinguens; nec adfectui suo aut alieno obnoxia, unde utilitas ostenderetur, illuc libidinem transferebat. igitur agentem eam in matrimonio Rufri Crispini equitis Romani, ex quo filium genuerat, Otho pellexit iuventa ac luxu et quia flagrantissimus in amicitia Neronis habebatur: nec mora quin adulterio matrimonium iungeretur.

⁵² See Chapter 3 above.

Otho sive amore incautus laudare formam elegantiamque uxoris apud principem, sive ut accenderet ac, si eadem femina potirentur, id quoque vinculum potentiam ei adiceret.

A no less notable *impudicitia* in that year was the start of great misfortune for the republic. There was in the city Poppaea Sabina . . . This woman had every attribute except for an honest mind. Her mother, who had been the great beauty of her generation, had bequeathed both glory and looks. Her wealth was well suited to her illustrious family. Her conversation was attractive and she was no fool; she gave the appearance of modesty, but practised wantonness. She rarely went out in public, and when she did she would partly veil her face, so as to tantalise the viewer, or because it suited her like that. She never spared her reputation, making no distinction between husbands and lovers. Never submissive to her own emotions or those of others, she transferred her lust where it promised to be useful. Therefore, while she was living in marriage with a Roman knight, Rufius Crispinus, by whom she had borne a son, Otho seduced her with his youth and luxury and because he was supposed to be the most cherished friend of Nero. Without delay marriage followed the adultery.

Perhaps it was because he was rendered incautious by his passion for her that Otho began to boast to the emperor of his wife's beauty and elegance, or perhaps it was in order to inflame him so that when they possessed the same woman the bond between them would increase his power (*Ann.* 13.45–6.1).

Sure enough Otho's praise for his wife piques Nero's interest, and once she has had her introduction Poppaea is able to ensnare the emperor, and eventually to become his wife. Like Sejanus with Livia, she pretends to be swept away by desire for him in order to achieve her end, which is (again like Sejanus) to move closer to the seat of power.⁵³

Poppaea Sabina's apparent modesty, while it is undermined by her actual indulgence in lewdness, recalls Lucretia. On the surface Poppaea is described as the model of the old-fashioned virtuous wife: she hardly ever goes out in public and when she does she covers her head and face with a veil.⁵⁴ But ironically the behaviour that looks modest – the veiling of her face – stems from lascivious motives; it is to stir up the interest of men.⁵⁵ Or at least

⁵³ Having made the emperor fall in love with her, Poppaea is then described as the driving force behind his abominable murder of his own mother Agrippina the Younger, whom she wants out of the way so that she can pursue her plan to marry Nero (14.1), and the eventual exile and death of his innocent young wife Octavia (14.59–63), whose severed head is brought back to Rome for her perusal; she is depicted as a machinating monster – a Tacitean stereotype of the imperial woman; her influence over the emperor is one of the dangerous consequences of the situation, and cf. Agrippina the Younger who allows herself to be debauched to gain access to power (access to Claudius 12.3.1, to Nero 14.2.2) and is even open to the suggestion of having sex with her son, according to rumour relayed by Tacitus. See n. 57 below.

⁵⁴ Cf. the signs of *pudicitia* discussed in Chapters 1 and 3.

⁵⁵ Reflecting the notion that apparent *pudicitia* is sexy in itself, see Chapter 1.

such is Tacitus' imputation – you can never tell with a woman. Poppaea cultivates the very appearance of *pudicitia*, so that she seems on the surface a paradigm such as Lucretia; underneath she is quite the opposite, and the traditional signs of *pudicitia* are undermined.

There is also a parallel between the husband of this paragon, Otho, and Lucretia's husband Collatinus. Both men unwisely boast of their wives' pre-eminence when they are at dinner with kings, and both lose their wives as a direct result to the more powerful man. However, Tarquinius is inflamed by Lucretia's very virtue, whereas (a sign of the times) Nero is inflamed by flattery and deviousness of a woman who has nothing morally decent about her. This novel version of the tale brings home political contrasts too. A latter-day 'Tarquinius' such as Nero is in no danger of being driven out by an irate husband, the ruling system is not threatened and there is no Brutus to champion the republic against despotism. Indeed the text allows Otho to fade into the background at this point without expressing a speck of indignation. In this day and age a man does not challenge the ruling family, and he is not particularly put out by the loss of a wife whom he had in any case pinched from someone else in the first place and who possessed no *pudicitia* to be ruined and avenged. The story is another reminder that these latter-day kings can get away with every abuse of power as a more virtuous age would not have permitted.⁵⁶

Like that of Pontia, the eventual death of Poppaea, which is related at 16.6.1, is both tragic and sordid, and again places her in opposition to Lucretia. She dies when her husband Nero in a fit of rage kicks her in the stomach while she is pregnant. Tacitus comments that although the people feign grief, her death is an occasion for rejoicing for those who remember her *impudicitia* and *saevitia* ('savagery'). Lucretia is remembered forever for her *pudicitia*, and her death mourned and avenged by the people, Poppaea is not mourned precisely because memory holds on to her lack of the quality.

(iii) *A grim little joke about Agrippina the Younger* (Annals 12.7)

Of the younger Agrippina, Tacitus writes that there was 'nothing unchaste about her house, unless it would augment her political influence' (*nihil domi impudicum nisi dominationi expediret*, Ann. 12.7.3). The opening claim that there was 'nothing unchaste about her house' at first recalls the moral integrity of the exemplary Roman wife of old. Tacitus takes a traditional praise and bestows it on the wife of the emperor; indeed in this passage

⁵⁶ As in the case of Livia's seduction by Sejanus, which exploits the corruption of the principate rather than leading to its overthrow.

he is making a direct comparison between the lascivious Messalina and her successor as Claudius' wife. Yet there is no straightforward *puđicitia* in the *Annals*, as we ought by now to know, and he proceeds immediately to wrench the goodness out of the phrase by introducing the conditional *nisi* . . . (unless . . .), going on to tell us that Agrippina did indeed cultivate domestic *impudicitia*, but only when it served her real interests and helped to increase her political influence: *dominationi expediret*. Of course there is *impudicitia* in her domestic set up (after all, this is a woman who will shortly murder her own husband), but only when it serves to increase her dominion, not for reasons of sexual desire. This lust for power, we are to understand, is even more disturbing and disruptive than the straightforward sexual *libido* of Messalina under which Rome had suffered previously.⁵⁷

A subsequent passage makes the comparison all the more clearly. Agrippina has destroyed Messalina's mother, Domitia Lepida, with accusations of magic and disturbing the peace, prompting the comments of her enemy in the royal household, Narcissus:

at novercae insidiis domum omnem convelli, maiore flagitio quam si impudicitiam prioris coniugis reticuisset. quamquam ne impudicitiam quidem nunc abesse Pallante adultero, ne quis ambigat decus pudorem corpus, cuncta regno viliora habere.

But the whole household was rocked by the plottings of [Britannicus'] step-mother, in a greater scandal than if he had kept silent about the *impudicitia* of [Claudius'] previous wife. Nevertheless even in this case there is no lack of *impudicitia* in the adultery with Pallas, lest anyone doubt that she holds all things – honour and *pudor* and her body – cheaper than power (*Ann.* 12.65.2).

Whereas in the case of Messalina the driving force is lust and the lack of sexual morality to restrain it, that is, a straightforward case of *impudicitia*,⁵⁸ Agrippina instead subordinates *impudicitia* to her more sinister objectives. *Impudicitia* is now the means to even greater evil, to the ruthless rule of a woman. Of course, it should be noted that this description comes from the mouth of an enemy and rival, and is as indicative of the culture of accusation that Tacitus is portraying as it is of the culture of depravity.

⁵⁷ See n. 53 above. For Messalina's transgressions see Tac. *Ann.* 11.1–4, 12, 26–38, 12.7.5–7, Suet. *Claud.* 29.8 and Juv. 6.115–32 as cited in my Introduction; cf. Joshel 1995 (51 n. 2 for further references in ancient sources) for a discussion of the imperial woman as sign in the discourse of imperial power with particular focus on the representation of Messalina; she argues that Messalina stands as criticism of the imperial silencing and disempowerment of the elite (65). For more on immoral and manipulative imperial women as a meaningful topos of imperial discourse see Richlin 1992d (with focus on Julia), O'Gorman 2000: 122–43 (women in Tacitus), Vinson 1989 (on Flavian women).

⁵⁸ On Messalina as controlled by her own excess of desire see Joshel 1995: 64, 75.

(iv) Adultery with slaves

According to Livy, the threat of disgrace with which Tarquinius finally compels Lucretia to submit to sex with him involves a set-up: he will make it look as if she has been caught in adultery with a slave. This would have been the ultimate horror, and although she is unafraid of death, this is the fate which Lucretia could not have borne; she prefers actual adulterous sex with her tormentor to apparent sex with a slave. In Tacitus' works, as one might expect amid the debauchery, women who are as far from Lucretia as one could possibly imagine willingly have sex with slaves of their own volition.⁵⁹ Aemilia Lepida, for instance, in a sordid echo of Lucretia's story, kills herself when she is prosecuted for having sex with a slave:

et Aemilia Lepida, quam iuveni Drusus nuptam rettuli, crebris criminibus maritum insectata, quamquam intestabilis, tamem impunita agebat, dum superfuit pater Lepidus: post a delatoribus corripitur ob servum adulterum, nec dubitabatur de flagitio: ergo omissa defensione finem vitae sibi posuit.

Aemilia Lepida too, whom I mentioned above as the bride of young Drusus, had persecuted her husband with many accusations; yet, although she was abominable, she had remained unpunished as long as her father Lepidus survived. Afterwards she was brought to trial by informers for adultery with a slave, and there was no doubt about the shameful crime: therefore she didn't bother with the defence and put an end to her own life (*Ann.* 6.40.3).

Tacitus comments that there was no doubt about her guilt, and that she killed herself as a consequence of this certainty. Yet the frame of politically motivated trials is nevertheless significant; she is not prosecuted so much for what she has done, as for who she is. In the world that Tacitus depicts, political manoeuvring and expediency take precedence over the policing of virtue. Aemilia remains unpunished while her father is alive, despite the fact that like other *impudicae* women in the work, she is explicitly described as an enemy to her own husband.⁶⁰ Her father, who in the terms of Republican ideology ought to have been controlling her sexual and uxorial behaviour himself, has acted instead as a barrier to justice in this case.

Poppaea, whose prevarication and unprincipled ambition we have encountered above, also goes on to manipulate traditional sexual morality to her own ends. In her bid to get as close to the source of power as possible and ensnare the emperor for herself, she accuses Nero's wife Octavia of having sex with a slave (*Ann.* 14.60.2–3). This time the accusation is not

⁵⁹ On the horror of free women having sex with slaves see Edwards 1993: 52; on the servile adultery of imperial women as a topos of imperial literature see Vinson 1989: 440–4.

⁶⁰ The later Greek source Cassius Dio portrays her as, like Livia, seduced by Sejanus in order that she might make these charges against her husband (58.3.8).

endorsed by the authorial voice, but Octavia is temporarily removed from the scene and banished to Campania. The culture of accusations and trials as political tools for the removal of opponents, and the role of *impudicitia* within this, will be discussed below.

Agrippina the Elder – a counter-example . . .

As we have seen, Agrippina the elder, the wife of Germanicus and mother of Caligula, provides a rare example of *pudicitia* in this age of vice. Her *pudicitia* is noted in the passage from *Annals* 4.12.2 which was discussed above, but is also referred to earlier, in Book 1. During the mutiny of her husband's troops, Germanicus eventually manages to persuade the pregnant Agrippina that she must leave the camp and take herself and their small son to safety. She leaves reluctantly with an entourage of grieving women, and their slow and mournful procession and the sound of their laments attract the attention of the soldiers themselves and appeal to their better instincts:

incedebat muliebre et miserabile agmen, profuga ducis uxor, parvulum sinu filium gerens, lamentantes circum amicorum coniuges quae simul trahebantur nec minus tristes qui manebant. non florentis Caesaris neque suis in castris, sed velut in urbe victa facies gemitusque ac planctus etiam militum auris oraque advertere: progrediuntur contuberniis. quis ille flebilis sonus? quod tam triste? feminas illustres, non centurionem ad tutelam, non militem, nihil imperatoriae uxoris aut comitatus soliti: pergere ad Treiros externae fidei. pudor inde et miseratio et patris Agrippae, Augusti avi memoria, socer Drusus, ipsa insigni fecunditate, praeclara pudicitia.

The wretched procession of women moved forward, the wife of a general in flight bearing her tiny son in her arms, the friends' wives who were being dragged with her wailing around her, and those who were staying no less sorrowful. It did not seem as if Germanicus were triumphant and in his own encampment, but rather as if they were in a conquered city; their groans and wails attracted the attention even of the soldiers, who emerged from their living quarters. What was this sound of weeping? What could be so dreadful? Here were noble women with no centurion, no soldier to protect them, not a sign of the usual entourage of a general's wife: perhaps they were going to hand themselves over to the Treveri, to foreign custody? This aroused in them a sense of shame (*pudor*) and pity, and the memory of her father Agrippa, and her grandfather Augustus, her father-in-law Drusus and her own remarkable fecundity, her outstanding *pudicitia* (*Ann.* 1.40.4–41.2).

Her appearance and the *pudicitia* that shines forth from her have a salutary effect on the troops, arousing in them the decent forces of *pudor* and compassion (*miseratio*) which will help to curtail their behaviour and enable Germanicus to regain control of them. And yet Agrippina is not

allowed to stand as a positive *exemplum*. Already the whole scene has an atmosphere of doom and foreboding; the procession of wailing women recalls nothing so much as the funeral cortege of an eminent man, or perhaps, as the text suggests, a gathering of conquered peoples being led in triumphal procession through the victorious city. Indeed the soldiers themselves wonder whether they are going to be handed over to the Treveri. Then, as the passage continues, part of the scenario that arouses pity is the sight of her infant child, born and brought up in the military camps, for whom the troops have found a nickname: Caligula ('Little Boot'), destined to be the emperor Gaius, as Tacitus' readers know. Just as later it will be cited in the context of Agrippina's protection of her children, here her *pudicitia* is cited in the context of her fertility.⁶¹ Yet tied closely into this celebration of her virtue is the reminder of just what her fecundity and her guardianship will produce: the monstrous emperor who will prove to be the pinnacle of Julio-Claudian vice.⁶² Agrippina, virtuous matron as she may be, is in this role pivotal to the whole Julio-Claudian dynasty, so that even her fertility is a cause of suffering of the Roman people.

... undermined by false accusations

Moreover, not even Agrippina escapes accusations of *impudicitia*. After her death, reported at *Annals* 6.25, Tiberius accuses her of *impudicitia* and of having an adulterous affair with Asinius Gallus:

enimvero Tiberius foedissimis criminationibus exarsit, impudicitiam arguens et Asinium Gallum adulterum, eiusque morte ad taedium vitae compulsam.

Certainly Tiberius blazed forth with the foulest accusations, alleging *impudicitia* and an affair with Asinius Gallus, and saying that she had lost interest in life since he died (*Ann.* 6.25.2).

Tacitus makes it clear that these accusations are wholly unfounded,⁶³ and yet our last encounter with Agrippina leaves us with this association with vice rather than virtue. Such trumped up accusations of sexual vice make frequent appearances in the *Annals*, and, as ever in Tacitus' writing, the sense of all-encompassing debauchery is created not only by Tacitus' own

⁶¹ *Ann.* 4.12.2, discussed on p. 335 above; and see S. Wood 1988 and O'Gorman 2000: 69–77 on this passage, esp. 71 on the 'ironic foreknowledge' and 76 on the future of her children.

⁶² Although lost from the damaged work of Tacitus himself, to the frustration of generations of scholars. See Suet. *Cal.* and pp. 354–6 below.

⁶³ See Martin 2001 ad loc. on the implausibility of these accusations in the context of the rest of the work.

narrative and description, but also by the rumours and accusations which he reports.⁶⁴ Thus Nero and his mother Agrippina the Younger are accused of *impudicitia* by Tiberius in a letter (5.3.2), Nero in turn accuses Lepida of incest with her nephew (16.8.2), Messalina accuses Poppaea and Valerius Asiaticus through Suillius and they both end up dying as a result (11.1.1).⁶⁵ In content the accusations are comparable to the accusations that we find liberally cast about in Cicero's speeches.⁶⁶ However, the consequence of being accused of such misdemeanours in Tacitus is usually shameful death, where the accused takes his or her own life (another distorted echo of the pattern of Lucretia's experience). Yet in the imperial age people do not tend to kill themselves because they are horribly ashamed of what they have done; now they kill themselves because they are afraid of the (pragmatic) implications of the accusation – that somebody in a position of power wants them out of the way. Thus the traditional regulatory emotion of shame which *pudor* and *pudicitia* constitute has been overridden by baser emotions reflecting a baser society. In such a society, virtues lose their meaning and become subordinated to political ambition. Even sex itself loses its power and *libido* is no longer the issue. Tacitus is depicting a jaded society, in which accusations are cynical political weapons, rather than genuine attempts to regulate the morals of citizens and bring about justice.

Agrippina's own downfall is instigated by another such accusation, made against her cousin, Claudia Pulchra:

at Romae commota principis domo, ut series futuri in Agrippinam exitii inciperet Claudia Pulchra sobrina eius postulatur accusante Domitio Afro. is recens praetura, modicus dignationis et quoquo facinore properus clarescere, crimen impudicitiae, adulterum Furnium, veneficia in principem et devotiones obiectabat.

And at Rome, with the imperial household in turmoil, in order that the chain of events leading to Agrippina's destruction might be set in motion, her cousin, Claudia Pulchra, was brought to trial by Domitius Afer. He had recently become a praetor, had middling status, and was anxious to gain renown with any kind of deed. He accused her of *impudicitia*, naming Furnius as the adulterer, and of using poison and spells against the emperor (*Ann.* 4.52.1).

This case comes to trial, and Tacitus makes it clear that Afer's motivation in bringing the case is nothing more than a desire to show off his rhetorical

⁶⁴ On rumour in Tacitus, alternative versions of history and Tacitus' historiography see Martin and Woodman 1989: 124–5, Sinclair 1995: 71–9, Woodman 1998: 104–41.

⁶⁵ Asiaticus on his deathbed is depicted very much in the mould of heroes of old. As he says, he falls by the treachery of a woman and the dirty mouth of Vitellius.

⁶⁶ See Chapter 6 above.

skill and to advance his own political career.⁶⁷ The ‘policing’ of sexual morality has become part of the misuse both of the legal system and of rhetoric. Moral issues that would have really mattered in an earlier age are subordinated to social and political aspiration – or even to the need to survive.

‘A contest of vices’: certamen vitiorum

By the time we get to Book 14 of the *Annals* (and the year 59 CE), Tacitus states quite baldly what has been apparent for some time: virtue can no longer survive in the society that Rome has become, its power is fading. After a detailed and impassioned description of Nero’s deplorable behaviour in forcing impoverished nobles to prostitute themselves by participating in his shameful public spectacles, he writes:

inde gliscere flagitia et infamia, nec ulla moribus olim corruptis plus libidinum circumdedit quam illa conluyies. vix artibus honestis pudor retinetur, nedum inter certamina vitiorum pudicitia aut modestia aut quicquam probi moris reservaretur.

And so disgrace and dishonour flourished, and no scum ever besieged our long corrupted morals with greater licentiousness. It is hard enough to maintain *pudor* with the best of moral conduct, much less could *pudicitia* or modesty or any other good moral quality be preserved amid this contest of vices (*Ann.* 14.15.3).

With this phrase *certamen vitiorum* (‘contest of vices’), with which he evokes the utter moral decrepitude of Nero’s reign, Tacitus seems to allude once more to the ways of the ancestors – whose virtuous gleam, as he says, is already long tarnished – as they are traditionally represented. We may recall that in the age of Roman heroes depicted in the early books of Livy, preserved in traditional *exempla*, a competitive spirit urged on great Romans to virtuous and courageous acts. They competed with their peers, with their ancestors, with their enemies and between the orders. Verginia urges the women who will cultivate her newly established shrine to *Pudicitia Plebeia* to compete with the patrician women for the title of the most endowed with *pudicitia*, just as their husbands compete in *virtus* among themselves.⁶⁸ In the Tacitean rhetoric of moral decline under the empire, however, people compete to be the most debauched and corrupt, and equally *impudicitia* appears as a powerful force in itself, rather than merely a loss or lack of *pudicitia*. At times it is represented as in itself a force for evil, which drives people on to commit crime.⁶⁹ Elsewhere, it is an unpleasant tool used to reach other, immoral, ends. The *impudicitia* or moral weakness in some

⁶⁷ On the trial and Afer’s ambitions see Sinclair 1995: 134–5 and 13–14.

⁶⁸ See Chapter 1 p. 51 above. ⁶⁹ As in the case of Messalina, see above n. 53 and n. 57.

people is open to exploitation by the ruthless and ambitious manipulators of the era such as Sejanus and Agrippina the Younger. The maintenance of family structures (particularly through marital and parent/child relations) and the production of legitimate heirs and continuation of the family line are traditionally some of the fruits of *pudicitia*; when it no longer holds sway, structures of the household collapse into incest, matricide, infanticide and wife-killing, and when Nero has destroyed all possibilities for the continuation of his line, he dies himself and the Julio-Claudian dynasty is over.⁷⁰

CONCLUDING THOUGHTS ON TACITUS

Considering the depicted consequences of this widespread *impudicitia*, which is shown to be instrumental in so many murders and miscarriages of justice throughout the Julio-Claudian era, as well as the implosion of the family itself, Tacitus' representation of Augustus' response to instances of *impudicitia* and adultery in his own family is perhaps unexpected:

ut valida divo Augusto in rem publicam fortuna ita domi improspira fuit ob impudicitiam filiae ac neptis quas urbe depulit, adulterosque earum morte aut fuga punivit. nam culpam inter viros ac feminas vulgatam gravi nomine laesarum religionum ac violatae maiestatis appellando clementiam maiorem suasque ipse leges egrediebatur.

Just as good fortune guided the divine Augustus in public matters, so there was ill fortune for him at home, on account of the *impudicitia* of his daughter and his granddaughter whom he drove out of the city, punishing their adulterers with death or exile. For when he described this crime, so common among respectable men and women, in the weighty terms of 'sacrilege' and 'high treason' he exceeded both the merciful attitudes of the ancestors and his own laws (*Ann.* 3.24.2).

The implication of this passage seems to be that Augustus is too harsh when he says that *impudicitia* threatens the whole state and the relationship between mortals and gods.⁷¹ Yet Tacitus' own account of the years that follow suggests that *impudicitia* does indeed pose such a threat. Once again, the work raises questions about the relationship between sexual morality and the punitive measures that are put in place by the emperor in order to regulate it. In the [final section](#) of this chapter we shall examine further the ways that our sources portray the interaction of different regulatory

⁷⁰ See above n. 36.

⁷¹ For debate about how this passage should be interpreted see Woodman and Martin 1996: 225–9. I follow Woodman's argument that it is Augustus' description of *impudicitia* as treason that breaches the customs of the ancients and the *lex Iulia*, and not his punishment of his family members.

forces in Roman society. First, however, let us turn to look at the use of the concept of *pudicitia* by Suetonius.

SUETONIUS: *PUDICITIA* AND THE DEVELOPMENT
OF AUTOCRACY

In the imperial biography of Suetonius description of sexual conduct plays an important role in setting out the nature of individual emperors and their relationship to power.⁷² Like Cicero's invective, Suetonius' biographies are creatively formulaic in their representation of the twelve subjects of the *Lives*. Each Life is structured in a conventional way, beginning, where appropriate, with the family background of the subject, then an account of his early life, and proceeding through his career to his death. Each biography stands on its own, but the twelve *Lives*, organised chronologically from the end of the Republic through the establishment of the imperial regime to the end of the dynasty preceding that under which he wrote (and thus safely sealed off from his own day), also form a coherent whole, and we can trace the development of themes within that whole. The arc of establishment of imperial power traced through the *Lives* is reflected in the way that the nature of the material relating to *pudicitia* changes over the course of the collection. The patterns discerned are those of the broad themes of the work, in particular the issues at the heart of monarchical power. In the biographical idiom, sexual ethics, both of individuals and of society, reflect political structures. As we progress through the sequence of powerful men from Julius Caesar, we trace the development in the autonomy of the emperor and his disjunction from traditional forms of government and regulation; this is mirrored by the withering of traditional morality, the intensification of imperial abuse of power, and the growing sense that the emperor is losing his grip upon the morals of his people. In the earlier *Lives*, the material will be very familiar to us from the Republican sources of political invective discussed in Chapter 6; in later *Lives* it will be more fantastical and grotesque.

Early empire and Republican invective

In the earliest *Lives* – those of Julius Caesar and Augustus, who represent only fledgling autocracy – both the kinds of things that are said about their sexuality, and the context in which these things are said, have a Republican

⁷² See Wallace-Hadrill 1983, Edwards 1993, Barton 1994.

flavour: they remind us strongly of the world we saw conjured up in the works of Cicero. All comments about their sexual morality found in the text are secondary accusations by specific individuals within the text who have their own explicit politicised agenda. The charges adhere closely to the formulae found in Cicero's speeches, although tailored, as usual, to the biographies of the individual men. They are charges such as one would expect men in power to attract. Since the frame of political invective is explicitly set up in the cases of Julius Caesar and Augustus, Suetonius is requiring the reader to read them not as innocent descriptions of the men, but as pointed elements of political games.⁷³

Of Julius Caesar's youth, for instance, we find the following:

stipendia prima in Asia fecit Marci Thermi praetoris contubernio; a quo ad accersendam classem in Bithyniam missus desedit apud Nicomedem, non sine rumore prostratae regi pudicitiae; quem rumorem auxit intra paucos rursus dies repetita Bithynia per causam exigendae pecuniae, quae deberetur cuidam libertino clienti suo.

He did his first military service in Asia, in the camp of the praetor Marcus Thermus. Sent by him to Bithynia to raise a fleet, he settled for a while with Nicomedes, not without arousing rumour that he had prostrated his *pudicitia* to the king; the rumour was exacerbated when he returned to Bithynia shortly after he had come back, to collect money which was owed to some freedman who was one of his clients (Suet. *Iul.* 2).

And at section 49 Suetonius makes a more detailed return to the subject:

pudicitiae eius famam nihil quidem praeter Nicomedis contubernium laesit, gravi tamen et perenni obprobrio et ad omnium convicia exposito. Omitto Calvi Licini notissimos versus: 'Bithynia et quicquid pectorator Caesaris umquam habuit.' praetereo actiones Dolabellae et Curionis patris, in quibus eum Dolabella paelicem reginae, spondam interiorem regiae lecticae, at Curio stabulum Nicomedis et Bithynicum fornicem dicunt.

Nothing harmed his reputation for *pudicitia* except for his camp-hanging with Nicomedes. However, that was a serious and permanent occasion for criticism, exposing him to insults from everyone. I pass over the very well-known verses of Calvus Licinius: 'Whatever Bithynia and the *pectorator* of Caesar held.' I also omit mention of the *actiones* of Dolabella and Curio the Elder, in which Dolabella said of him 'concubine in rivalry with the queen, most intimate couch of the royal bedchamber' and Curio 'the brothel of Nicomedes and the whorehouse of Bithynia' (*Iul.* 49).

⁷³ Corbeill makes the interesting suggestion that Julius Caesar deliberately cultivated unconventional appearance and behaviour with sexual connotations in order to create a political persona with appeal to the people, hence incurring this censure from the elite (Corbeill 2004: 136–7).

In these passages the tropes are very similar to those employed by Cicero against Verres, Antony and Clodius. In particular, Caesar's alleged subordination to another man is linked to his subsequent desires to rule over the Romans, and there is a display of political anxiety about submitting to foreign rulers. Caesar is also likened to a woman, or to a defeated country. Like the targets of Cicero's invective, he is also alleged to have seduced many married women; these are listed alongside their husbands, to emphasise the fact that they belong to other men. He also spends extravagantly on Servilia, according to Suetonius the woman whom he loves best. As we saw in the invective employed in Cicero, there is a close relationship between *impudicitia* (defined as failing to protect one's body from the penetration of another man) and *adulterium*, the debauching of other men's wives. Just like Verres, Caesar is a man among women and a woman among men,⁷⁴ and the summary of Caesar's sexuality, from the mouth of Curio the Elder, calls on the familiar cliché:

at ne cui dubium omnino sit et impudicitiae et adulteriorum flagrasse infamia, Curio pater quadam eum oratione omnium mulierum virum et omnium virorum mulierem appellat.

Lest there be any doubt of his raging infamy both of *impudicitia* and of adulteries, Curio the Elder in a speech called him the man for all the women and the woman for all the men (*Iul.* 52.3).

In Suetonius' account, Augustus too is accused by specific people of submitting to other men when he was in his youth: 'His first youth underwent the infamy of various disgraces' (*prima iuventa variorum dedecorum infamiam subiit, Aug.* 68.1). As in the case of Julius Caesar, all the charges come from named sources who are rivals or opponents of Augustus in some way:

Sextus Pompeius ut effeminatum insectatus est; M. Antonius adoptionem avunculi stupro meritum; item L. Marci frater, quasi pudicitiam delibatam a Caesare Aulo etiam Hirtio in Hispania trecentis milibus nummum substraverit solitusque sit crura suburere nuce ardenti, quo mollior pilus surgeret.

Sextus Pompeius insisted that he was effeminate; Mark Antony that he had purchased his adoption for *stuprum* with his uncle; his brother L. Marcus, that after his *pudicitia* had been plucked by Caesar, he had even had sex with Aulus Hirtius in Spain for three thousand gold coins, and used to singe his thighs with burning nuts so that his hairs would grow softer (*Aug.* 68.1).

⁷⁴ See above Chapter 6, p. 292 and n. 44.

This is again followed by reports of accusations about adulteries: not even his friends could deny his adultery, but they excused it by saying that he was motivated not by lust but by strategic thinking, since through the women he could find out about his enemies' plans:⁷⁵

adulteria quidem exercuisse ne amici quidem negant, excusantes sane non libidine, sed ratione commissa, quo facilius consilia adversariorum per cuiusque mulieres exquireret. M. Antonius super festinatas Liviae nuptias obiecit et feminam consularem e triclinio viri coram in cubiculum abductam, rursus in convivium rubentibus auriculis incomptiore capillo reductam.

Not even his supporters denied that he had committed adulteries, but they excused them by claiming that they were not motivated by lust, but by reason, so that he might find out from their women the plans of his adversaries. Mark Antony accused him of having married Livia in a hurry, and for leading the wife of a consul from the dining room into his bedroom in front of her husband, and bringing her back again to the party with dishevelled hair and blushing ears (*Aug.* 69.1).

Shocking behaviour,⁷⁶ but once again the evidence comes from Mark Antony, his political rival, and some of the accusations, at least, are discounted by the authorial voice:

ex quibus sive criminibus sive maledictis infamiam impudicitiae facillime refutavit et praesentis et posteræ vitæ castitate.

Whether these were genuine charges or slanders, he very easily refuted the reputation of *impudicitia* by the purity of his life both at the time and later (*Aug.* 71.1).

Tiberius and Republican history

The third subject in the series is the emperor Tiberius, who introduces a new family strand into the imperial weave: the Claudii. Here the opening description of the emperor's family origins, as a way of introducing us to the man himself, is extended; we are shown a select gallery of family portraits illustrating particular Claudian traits which will of course begin to exert their influence over the coming generations of rulers. This *gens* offers many exemplary figures from Roman history, illustrated by a handful of

⁷⁵ Edwards 1993: 48–9 suggests that Augustus' womanising is indicative of superior sexual attractiveness; however, his supporters excuse him on the grounds that it does not indicate that he is lacking in self-control, since the behaviour does not stem from *libido* but from political ambitions (cf. n. 10 above on the Germans), suggesting that it is tyrannical weakness that is at stake here (cf. on Verres above, Chapter 6). On the association of adultery with effeminacy see Edwards 1993: 81–84.

⁷⁶ Comparable with that of Caligula described at *Cal.* 36.2 and discussed below; cf. Richlin 1992a: 88–9 for a comparison of the two passages.

heroes and then a handful of villains. Leading the latter group is Claudius Regillianus, characterised by his wicked attempt to enslave a freeborn girl:

contra Claudius Regillianus, decemvir legibus scribendis, virginem ingenuam per vim libidinis gratia in servitutem asserere conatus causa plebi fuit secedendi rursus a patribus.

On the other hand, Claudius Regillianus, the decemvir for writing laws, tried to bring a freeborn girl into slavery in order to satisfy his lust by force, and was the cause of the plebs again seceding from the patricians (*Tib.* 2.2).

This crime is the same as that of the Appius Claudius we found in Livy, who is also from the same family, and these are probably two competing versions of the same tale: a sexual crime with political repercussions.⁷⁷ It is found here in the company of two other Claudian crimes: that of aspiring to be king (Claudius Russus sets up a crowned image of himself), and disregarding signs from the gods and disrespecting religious apparatus (Claudius Pulcher throwing the sacred chickens into the sea). Perhaps designed to span a range of nefarious deeds, this trio of crimes nevertheless places the violation of *pudicitia* alongside both the tyrannical impulse and the violation of religious sanctity, just as we saw it in the speeches of Cicero in particular.⁷⁸ They are followed by contrasting tales of Claudian women:

extant et feminarum exempla diversa aequae, siquidem gentis eiusdem utraque Claudia fuit, et quae navem cum sacris Matris deum Ideae obhaerentem Tiberino vado extraxit, precata propalam, ut ita demum se sequeretur, si sibi pudicitia constaret; et quae novo more iudicium maiestatis apud populum mulier subiit, quod in conferta multitudine aegre procedente carpento palam optaverat, ut frater suus Pulcher revivisceret atque iterum classem amitteret, quo minor turba Romae foret.

There are also equally diverse *exempla* of women, since both Claudias belong to that same family: the one who drew the ship with the sacred objects of the Idean Mother of the Gods when it was stuck in the shallows of the Tiber, having openly prayed that it should finally follow her if her *pudicitia* still endured; and the woman who was brought before the people on a charge of treason in a novel way, because, when her chariot was moving slowly through a dense crowd, she had wished aloud that her brother Pulcher would come back to life and would lose a fleet again so that the crowd in Rome would shrink (*Tib.* 2.3).

The first Claudia, the good role model, is familiar to us from earlier chapters; once again Suetonius explicitly associates her involvement in the bringing of the Idean Mother to Rome with proving the quality of *pudicitia*.⁷⁹ In

⁷⁷ See Chapter 2 above, esp. pp. 97–109.

⁷⁸ See Chapter 6 above, especially Cicero on Verres and Clodius, pp. 289–305.

⁷⁹ See Chapter 1, pp. 58–9, 67–70.

Suetonius' description of the second Claudia there are shades of the evil Tullia of Roman legend, as she rides through the city impatiently in her chariot with an arrogant disregard for human life.⁸⁰ Suetonius makes the deed of the Vestal Virgin Claudia, riding in her brother's carriage in order to protect him with the sanctity of her body, into something more like an abuse of power than a heroic act of piety.⁸¹ In these tales of Tiberius' family's history, Suetonius conjures up a catalogue of old stories conveying the values of the Republican era and their Republican threats. The Republic, defined by Suetonius' day against the imperial regime that has replaced it, is given a new significance in this passage as it feeds into the new regime of autocracy and unbalancing of moral forces.

From inhibition to exhibition

In subsequent chapters, Tiberius' reign will come to mark a transition between the sexual transgression of Republican rhetoric, where Suetonius describes allegations against the emperors made by specific individuals with clear political motivations, and the direct, authorially voiced charges of new and inventive kinds of depravity characteristic of the imperial regime. As imperial rule becomes established, there is a move away from the inhibition of traditional sexual morality, towards a perverted exhibition and openness. Later, at sections 42–5, we will see Tiberius succumb to unpleasant sexual desires and voyeurism – like all good tyrants using his political power in order to aid his gratification and seeking new ways to excite his jaded sexual appetites. He also displays the tyrant's desire to appropriate and despoil what belongs to other people:

feminarum quoque, et quidem illustrium, capitibus quanto opere solitus sit includere, evidentissime apparuit Malloniae cuiusdam exitu, quam perductam nec quicquam amplius pati constantissime recusantem delatoribus obiecit ac ne ream quidem interpellare desiit, 'ecquid paeniteret'; donec ea relicto iudicio domum se abrupuit ferroque transegit, obscaenitate oris hirsuto atque olido seni clare exprobrata. unde mora in Atellanico exhodio proximis ludis adsensu maximo excepta percrebuit, 'hircum vetulum capreis naturam ligurire.'

The effort he used to put into toying with the lives of women, even those of high birth, is most clearly demonstrated in the death of a certain Mallonia, whom, when

⁸⁰ See e.g. Livy 1.44–59, Val. Max. 9.11.1; the event is dated to 204 BCE.

⁸¹ For an alternative version in which Claudia's is depicted as a heroic deed see e.g. Val. Max. 5.4.6. In this version it is her father in the carriage – the reference to brother-and-sister pairs may be intended to evoke the memory of Cicero's characterisation of the relationship between Clodius Pulcher and Clodia, which is not referred to here.

she had been summoned to him and was refusing over and over again to succumb, he reported to the informers and kept on calling out to even during the trial: 'Do you regret it?'; at last she went home from the court and killed herself, running herself through with steel, having loudly rebuked him as an obscene-mouthed, hairy, stinking old man. As a result, in an Atellan farce at the next games a ditty became very popular: 'The hairy he-goat licks the doe's genitals' (*Tib.* 45).⁸²

This time, although he refers to contemporary lampoons, Suetonius also describes the story as an extremely clear indication of the kind of man Tiberius was. The story combines the sombre structures of the traditional tale with the crude and grim humour of late-Republican invective.⁸³

The description of the sexual practices of Caligula, the next subject of biography, leaves the frame of rhetorical invective behind and begins with an unqualified statement in the authorial voice (although the claim made of him could not be more of a cliché, and the text returns immediately to second-hand report):

pudicitiae [neque suae] neque alienae pepercit.⁸⁴ M. Lepidum, Mnesterem pantomimum, quosdam obsides dilexisse fertur commercio mutui stupri. Valerius Catullus, consulari familia iuvenis, stupratum a se ac latera sibi contubernio eius defessa etiam vociferatus est. super sororum incesta et notissimum prostitutae Pyrrallidis amorem non temere ulla inlustriore femina abstinuit. quas plerumque cum maritis ad cenam vocatas praeterque pedes suos transeuntis diligenter ac lente mercantium more considerabat, etiam faciem manu adlevans, si quae pudore submitterent; quotiens deinde libuisset egressus triclinio, cum maxime placitam sevocasset, paulo post recentibus adhuc lasciviae notis reversus vel laudabat palam vel vituperabat, singula enumerans bona malave corporis atque concubitus.⁸⁵

He spared neither his own *pudicitia*, nor that of others. He is said to have loved M. Lepidus, the pantomime artist Mnester, and various hostages, in a trade of mutual *stuprum*. Valerius Catullus, a young man of consular family, made a point of claiming loudly that Caligula had been sexually defiled [*stupratum*] by him, and

⁸² Such defiant suicide in the face of *stuprum* recalls Lucretia, of course – see Chapter 3 above; for suicide (in Flavian epic) as an act of defiance in the face of tyranny cf. McGuire 1997: 24, 227–8, 185.

⁸³ Not only are there distinct echoes of traditional narratives, such as that of Lucretia, in the tale, but there are also strong similarities with the stories told by Valerius Maximus. If we were to take Suetonius' tale seriously as a contemporary event about which contemporary readers may have known, then such similarities might be disturbing. We might even be tempted to see in Valerius' work direct allusion to Tiberius' misbehaviour that would undermine the praise of the imperial family seen in his address to the emperor. We may choose instead to see the story of Tiberius' humiliating treatment of Mallonia as a second-century means of talking about the delicate balance of hierarchy rather than as a dark historical smudge on Tiberius' biography. However, such stories at least remind us that however justly he may rule, the emperor cannot help but be implicated in tales of abuse of power, as we saw in Chapter 3.

⁸⁴ An emendation has been made to the text in one family of mss. on the basis that this is a standard formulation, for which see Chapter 6 above, n. 35.

⁸⁵ Cf. Sen. *Dial.* 2.18.2 on the wife of Valerius Asiaticus.

had worn himself out physically in their intimacies. Apart from the incest with his sisters and his extremely notorious love for the prostitute Pyrallis, he barely held back from any illustrious women. These he would often call to dine with him accompanied by their husbands, and as they passed before him he would carefully and gently look them over as if he were at a slave auction, even lifting their faces with his hand if they had lowered them in *pudor*.⁸⁶ Then, whenever he felt like it, he would leave the room and summon the one he liked best, and a little later when he had returned with the signs of the sexual exploits that had taken place there still fresh, he would openly either praise or criticise her, listing the good and bad aspects of her body and of the sex he had had with her (*Cal.* 36).

The opening sentence of the section sets out the familiar structure of a man's sexual corruption, which is then expanded upon in the rest of the passage. First we see Caligula submitting sexually to men, then we see him ruining the respectable wives of his noble subjects. The phrase *mutui stupri* is interesting: it is more shaming to be penetrated by someone who has also been so degraded as to have first submitted to you. There is no doubt that the vociferous boasting of Catullus is designed to seem particularly humiliating to the emperor, whose lack of shame, however, means that he is insensitive to this humiliation. Caligula's treatment of *matronae* recalls, and embroiders, the image in the Life of Augustus: again he is treating women of free birth as if they were slaves. His subsequent verbalising of this abuse is what makes his behaviour particularly noteworthy; not only does he subject them to sexual intercourse, but he then compounds this by forcing the woman and her husband to undergo a public description of the event and a catalogue of the woman's physical attributes. In this respect, then, he mirrors the behaviour of Valerius Catullus towards himself.⁸⁷

Part of the character of this imperial era as painted by Suetonius is not merely the frequency of sexual misconduct, but the way that there is no longer any attempt to make *stuprum* covert: it is no longer nocturnal, or secretive, or hidden away from the coercive powers of state and family, or shrouded in a sense of shame. It is open and boastful, like Caligula and Catullus, (Latin terms indicating this include *palam*, *vociferatus*, *notissimum*, *recentibus adhuc lasciviae notis*). The restraining forces of *pudor* and *pudicitia* are depicted as losing their grip over society. The gesture that Suetonius describes, of the emperor lifting the face of any woman who is

⁸⁶ For lowering the eyes as a sign of *pudor* see Introduction p. 19 above.

⁸⁷ Cf. Suet. *Vesp.* 13, where Licinius Mucianus, a man well known for *impudicitia*, with the confidence of favours owed, treats the emperor with less than reverence. This is part of a passage about the tolerance of Vespasian – but does Vespasian's mild response really represent mercy and strength, or is it indicative of weakness? The implication seems to be that Vespasian had been having sex with this man, and is unembarrassed to have this known.

subdued by *pudor*, is a vivid enactment of a disregard for the conventions of morality. If there is a woman who is directed by *pudor*, who keeps her eyes upon the ground as a *matrona* should in the presence of a man who is not her husband, then Caligula will physically coerce her to divest herself of this sign of *pudicitia*.⁸⁸ Caligula's character in this part of the biography is acquisitive and hubristic in the extreme. The vignette of the emperor at dinner making his leisurely selection from among the noblewomen of Rome while their husbands look on, as if at the slave market, consuming them extravagantly, manifests both these qualities.

Just as these abuses from Caligula are 'in addition to the incest and a liaison with a prostitute', so the section in the Life of Nero where Suetonius outlines his sexual practices begins with the splendidly blasé phrase: 'In addition to his "educating" freeborn boys and having sex with married women . . .' (*super ingenuorum paedagogia et nuptarum concubitus . . .*). With emperors such as Caligula, Nero and Domitian (cf. *Dom.* 1), embodiments of tyranny and perversion, we can take for granted, indeed relegate to a subordinate clause, the kinds of blows against *pudicitia* that would have seemed horrifying in the texts of earlier authors.⁸⁹ The starting point of Nero's sexual misconduct, almost casually evoked in this opening clause, is the multiple destructions of the valuable members of Roman society: young men and married women. On this firm foundation, Nero will build his edifice of depravity, going on to desecrate a religious figure and throw the very institution of marriage into confusion with the behaviour that Suetonius goes on to describe: forcing a Vestal Virgin to have sex, trying to marry a freedwoman through deception, marrying then a castrated boy as his wife, and provoking rumours that he lusted after his own mother and even consummated this lust:

suam quidem pudicitiam usque adeo prostituit, ut contaminatis paene omnibus membris novissime quasi lusus excogitaret, quo ferae pelle contextus emitteretur e cavea virorumque ac feminarum ad stipitem deligatorum inguina invaderet et, cum affatim desaevisset, conficeretur a Doryphoro liberto; cui etiam, sicut ipsi Sporus, ita ipse denupsit, voces quoque et heulatus vim patientium virginum imitatus. ex nonnullis comperi persuasissimum habuisse eum neminem hominem pudicum aut ulla corporis parte purum esse, verum plerosque dissimulare vitium et callide optegere; ideoque professis apud se obscaenitatem cetera quoque concessisse delicta.

⁸⁸ For looking at the ground as a visual sign of *pudicitia*, see Chapter 1 p. 72, cf. n. 86 above.

⁸⁹ On the representation of Nero as a depraved emperor see Bartsch 1994, Elsner and Masters 1994 and esp. Barton 1994; on Suetonius' characterisation of emperors through their sexual practices see Richlin 1992a: 88–91.

His own *pudicitia* he prostituted to such an extent that when he had contaminated practically all the parts of his body he thought up a new kind of 'game', in which, covered by the skin of a wild animal, he would be released from a dungeon and attack the genitals of men and women who were tied to stakes, and, when he had had enough savagery, he would be finished off by his freedman Doryphorus. Indeed, just as Sporus had been married to him, he himself was married to Doryphorus, and he even imitated the cries and wails of pain of virgins suffering sexual assault. I gathered from several sources that he was utterly convinced that no one was *pudicus* or pure in any part of his body, and that indeed many people hid their vice and cunningly covered it up; thus anyone who confessed their obscenity to him he also forgave the rest of their crimes (*Nero* 29).

The novelty of Nero's depravity is underlined by this account; he operates in a whole new arena of sexual behaviour, which has nothing to do with penetration or the gratification of others. The authorial voice and its certainty is also emphatic – this is one of the rare places in his work where Suetonius enters the text in the first person and claims to have carried out his own research into the topic. Most significant is Suetonius' find: Nero has new perspectives on *pudicitia* – he doesn't even believe that it really exists, but thinks that all there is is hypocrisy and deceit.⁹⁰ As in the case of Caligula, openness about sexual crime is encouraged and valued in direct opposition to the concepts of discretion and modesty cherished in Roman tradition.⁹¹

MORAL DECLINE AND IMPERIAL INTERVENTION

Alongside this burgeoning theme of the personal perversion of the emperors, the twelve biographies also develop the related themes of moral decline in Roman society in general and the intervention of the emperor – taking us once more to the point where we left the discussion of Tacitus' *Annals*. According to Suetonius' accounts, many emperors either pass legislation to curb sexual immorality, or make *pudicitia* part of their official self-representation. Augustus, for example, is concerned with legislation in this area: 'he redrafted laws and established some from scratch, about extravagance and adulteries, *pudicitia*, bribery and marriage in the upper classes' (*Aug.* 34.1), and among Tiberius' good deeds, his socio-sexual reforms are described, alongside other restrictive changes (such as expulsion of foreign cults, tightening up security in the empire and crushing riots). Tiberius is

⁹⁰ Cf. Chapter 4 on the novels' perspectives on *pudicitia*.

⁹¹ This emphasis on the discomfiting gaze and the disturbing desire to attract it is echoed in Tac. *Agr.* 45.2: 'Under Domitian the principal part of our miseries was to see and be seen.'

represented in this context as a just and strict paternal figure dealing with a society where *matronae* and young men no longer value their status and the very qualities of virtue and reputation that have previously held Roman society together:⁹²

matronas prostratae pudicitiae, quibus accusator publicus deesset, ut propinqui more maiorum de communi sententia coererent auctor fuit. equiti Romano iuris iurandi gratiam fecit, uxorem in stupro generi compertam dimitteret, quam se numquam repudiaturum ante iuraverat. feminae famosae, ut ad evitandas legum poenas iure ac dignitate matronali exolverentur, lenocinium profiteri coeperant, et ex iuventute utriusque ordinis profligatissimus quisque, quominus in opera scaenae harenaeque edenda senatus consulto teneretur, famosi iudicii notam sponte subibant; eos easque omnes, ne quod refugium in tali fraude cuiquam esset, exilio adfecit.

Matronae who had prostrated their *pudicitia*, but for whom there was no public prosecutor, he authorised that relatives might punish, as in the ancient custom, by a common consensus. He absolved from his oath a Roman knight, that he might send away his wife, whom he had previously sworn that he would never divorce, when he caught her in *stuprum* with their son-in-law. 'Notorious' (*famosae*) women, in order to absolve themselves from the legal constraints and privileges of being a *matrona* so as to avoid the legal punishments, had begun to make use of prostitution, and the most profligate young men of both orders, so that they would not be constrained by the senate's decree banning them from stage and arena, undertook of their own accord the mark of bad reputation; and all of these men and women, lest they should find refuge in this deception, he sent into exile (*Tib.* 35.1–2).

Meanwhile, in the reign of Vespasian 'lust and extravagance had flourished without any restraint; he was the author of a senatorial decree that a woman who had had a relationship with someone else's slave should be treated as a bondwoman herself' (*Vesp.* 11.1). The implication of this motion is that things have reached such a state that *libido* is no longer reined in by any kind of restraint and women are frequently having sex with slaves. Since every period of rule seems to be ever more lax, the overall sense as we move through the biographies is that the emperor's grip on the morals of his people is ever weakening, even as the emperors continue to appear as paternalistic moralisers who pass legislation designed to curb the behaviour of their subjects.

An anecdote about the emperor Claudius neatly conveys an aspect of this imperial paradox, where the emperor both fosters and punishes sexual immorality:

⁹² See Bauman 1996 for a discussion of the legislation.

sub exitu vitae signa quaedam nec obscura paenitentis de matrimonio Agrippinae deque Neronis adoptione dederat, siquidem commemorantibus libertis ac laudantibus cognitionem, qua pridie quandam adulterii ream condemnarat, sibi quoque in fati esse iactavit omnia impudica, sed non impunita matrimonia.

Shortly before his death he gave some quite clear signs of regretting his marriage to Agrippina and his adoption of Nero; when his freedmen were reminding him of and praising him for the case in which he had condemned a certain woman for adultery, he declared that it was his own fate to have marriages that were *impudica*, although not unpunished (*Claud.* 43.1).

Claudius' inability to see what is going on in his own household and restrain the behaviour of his own wives is placed beside (sycophantic) praise of his interference in the lives of other men's wives.⁹³ Claudius claims that he has punished his own, yet it is clear that his intervention has come too late to prevent *impudicitia*. Tacitus similarly describes Claudius as first enduring and then punishing the scandalous behaviour of his wives (*Tac. Ann.* 12.64.2); in these cases punishment is no longer serving the ends that it would have done in a traditional setting, where there was no such thing as *enduring* bad behaviour before punishing it. Punishment is no longer about deterrent; indeed rather than favouring the visible and open punishments that foster a fear of exposure (a trope that runs throughout our ancient sources) Claudius makes an attempt to obliterate the memory of Messalina altogether.⁹⁴ Claudius is not interested in being seen to punish severely those close and precious to him in a display of admirable old-style virtue such as that found in the tales of Valerius Maximus.⁹⁵

Claudius' claim that it was his fate to suffer such *impudicitia* in his wives is defeatist; other emperors are represented as wielding greater control. Other sources from the period describe an increasing tendency for the emperor and members of his household to represent themselves as moral reformers and indeed to identify themselves specifically with the quality of *pudicitia*. Augustus' programme of moral reform and the Julio-Claudian legislation prescribing punishments for sexual transgression have often been discussed in the course of this book.⁹⁶ Valerius Maximus draws close connections between *pudicitia* and the imperial household (*Val. Max.* 6.1).⁹⁷ The Flavian emperors, and especially Domitian, associated themselves with

⁹³ Cf. O'Gorman 2000: 115 on the irony of Claudius as censor being unaware of his own wife's infidelity.

⁹⁴ Cf. O'Gorman 2000: 115–21. ⁹⁵ See above Chapter 3.

⁹⁶ See especially my Introduction on 'The Roman Moral Universe'.

⁹⁷ See above Chapters 1 and 3. Cf. *Hor. Carm.* 3.1–6 (on Augustus' moral reform).

a similar resuscitation of traditional sexual morality.⁹⁸ Under later emperors, from the second century onwards, coins depicting members of the imperial family as personifications of *pudicitia* were commonly issued, and the figure of *Pudicitia* became part of the standard iconography of the imperial household.⁹⁹ It is made explicit that the imperial household is supplanting the traditional sources of moral inspiration. Such self-representation was not only about *pudicitia*'s traditional role within paternalism and the regulation of the sex lives of dependants (as outlined in Chapter 3 above), but also about official imperial representation as the embodiment of civic virtues that in turn justify their status and power over others (as in the struggles for status depicted by Livy and discussed in Chapter 2 above). To an extent this moral reform may be seen as a struggle for power between the emperor and the elite, and we find in apparent praise of such policies from contemporaries such as Ovid (Augustus) and Martial and Statius (Domitian) a degree of resistance to imperial authority.

Ovid, for instance, writing to his wife from exile in the early first century, suggests that she petition on his behalf the emperor's wife Livia, whom he describes as providing a new model of *pudicitia*, triumphing in her virtue over Lucretia:

morte nihil opus est, nihil Icarotide tela:
 Caesaris est coniunx ore precanda tuo,
 quae praestat virtute sua, ne prisca vetustas
 laude pudicitiae saecula nostra premat,
 quae Veneris formam mores Iunonis habendo
 sola est caelesti digna reperta toro.

You have no need of death, no need of Penelope's weaving;
 It is the wife of Caesar to whom you must pray,
 Who is outstanding in her virtue, and ensures that primitive antiquity
 Shall not humble our own age in the praise of *pudicitia*,
 Who, possessing the beauty of Venus and the morality of Juno,
 Has alone been found worthy to share the divine marriage bed (Ov.
Pont. 3.1.113–18).

On the face of it Ovid suggests that members of the emerging imperial family rival, indeed surpass, the tales of old in their virtue, and he appears to be taking up its own efforts to cast its members (here Livia in particular) as living *exempla*.¹⁰⁰ However, several scholars have recently argued that,

⁹⁸ On Flavian moral reform see Grelle 1980, Garthwaite 1990.

⁹⁹ See Mueller 2002: 25–6 for depiction of *Pudicitia* on coins honouring imperial women; cf. D'Ambra 1993 for the possible depiction of *Pudicitia* on the frieze of Domitian's Forum Transitorium.

¹⁰⁰ Cf. Flory 1984, Herbert-Brown 1994: 131–45 on the restoration of the temple of the Bona Dea on the Palatine, Purcell 1986. In *Tristia* 1.6 Livia is described as *femina princeps* and Ovid suggests his own wife turn to her as a living model.

throughout the exile poems, what looks like flattery can also be interpreted as implicit criticism of Augustus and as commentary on the nature of his authority.¹⁰¹ Read in context, the poetry unpicks its own panegyric: 'the *imagines* and the *exempla* dearest to the regime's ideology and most central to its self-definition are re-loaded and fired directly back to Rome, typically with a subtle ironic twist intended to expose the hypocrisy of the original reading'.¹⁰² Livia is no *univira* and her comparison with Juno raises uncomfortable spectres of marital infidelity and cruel and vindictive retaliation.¹⁰³

The emperor Domitian, under whom Tacitus and Suetonius lived (although they published their works during the succeeding regime), is a stark embodiment of the issues surrounding imperial intervention in sexual morality. Domitian initiated a new programme of moral reform, represented as a return to Augustan values, and his legislation is apparently lauded by the poets Martial and Statius; yet Tacitus and Suetonius demonise him as a second Nero. Once again a closer look at contemporary praise suggests compromise.¹⁰⁴ Martial addresses Domitian as *pudice princeps* (9.5.2) to whom the cities owe thanks for his laws prohibiting the castration of slave boys and regulating prostitution. On his reinstatement of the *lex Iulia* against adultery Martial writes:

Iulia lex populis ex quo, Faustine, renata est
 atque intrare domos iussa Pudicitia est,
 aut minus aut certe non plus tricesima lux est,
 et nubit decimo iam Telesilla viro.
 quae nubit totiens, non nubit; adultera lege est.
 offendor moecha simpliciore minus.

It is fewer, or certainly no more, than thirty days, Faustinus,
 Since the Julian law was revived for the people,
 And *Pudicitia* was ordered to enter homes,
 And already Telesilla has married her tenth husband.
 A woman who marries so many times is not really marrying: she is a
 legalised adulteress.
 I am less offended by an ordinary adulteress (Mart. 6.7).

¹⁰¹ Williams 2002, with further references; Johnson 1997, Davisson 1984 and 1993.

¹⁰² Johnson 1997: 408 and *passim*; on such strategies in imperial Roman literature generally see Ahl 1984a, 1984b.

¹⁰³ On Juno as vengeful deity and wronged wife see Davisson 1993; cf. Davisson 1984 which argues that this poem highlights the inconsistencies in Ovid's earlier praise for Livia (325, cf. Johnson 1997: 473) and that she is portrayed in the exile poems as a capricious mistress analogous to an elegiac *puella* (324).

¹⁰⁴ Garthwaite 1990 and 1993, Ahl 1984a and 1984b.

As Garthwaite argues, despite the eulogistic first couplet, the epigram ends by suggesting that the behaviour that the law encourages is far worse than the immoral behaviour that it is designed to control in the first place.¹⁰⁵ Moreover, Fredrick sees in the opening lines themselves a significant comment on imperial legislation; it is not so much *pudicitia* that is described as entering elite households, but the imperial command itself: 'by reclaiming for the emperor the supervision of elite sexual behaviour, Domitian reclaimed a powerful pretext . . . on which to prosecute the elite'.¹⁰⁶ Martial is stripping away the pretence of imperial moralising to reveal the real motivation behind the laws: the desire to step up surveillance and control over the elite.

Domitian is ultimately depicted as an emperor who 'poses as a watchdog of public morality whilst practising the very vices he condemns' (Garthwaite 1993: 85). Such undermining of the relationship between reality and appearance is a common theme of imperial literature.¹⁰⁷ This potential for hypocrisy in imperial censoriousness is also implied more gently by Ovid when he comments of Augustus: 'he is the most just passer of laws and regulates *mores* by his own example' (Ov. *Met.* 15.833–4).

Imperial sources represent a range of ways in which Republican moral structures and values are crumbling, but we should read such representations in the context of elite resistance to the socio-political changes affecting its autonomy. The sources studied in this chapter and in Chapter 4 above provide a response to an increasing 'imperialisation' of virtue, which appropriates the ultimate power to the emperor himself. They criticise the laws themselves: they are not efficacious, are invasive, open up new chinks to be exploited by the unscrupulous such as prosecution for political ends, and indeed they may be devised primarily for this very purpose. They also depict the legal structures as losing their grip upon a society that is no longer regulated in the old-fashioned ways by internalised virtues – law needs to be bolstered by *pudor*. In the old days, as they would have it, *pudor* and the related fears about losing face within the community used to be enough to stop people from committing crime; now people no longer care, and worse, they even publicise or boast about their misdeeds. Official decrees intervene in this sorry state of affairs, but they also encourage it:

eodem anno gravibus senatus decretis libido feminarum coercita cautumque ne quaestum corpore faceret cui avus aut pater aut maritus eques Romanus fuisset.

¹⁰⁵ Garthwaite 1990: 15. Cf. Mart. 6.22 for ridicule of his attempt to legislate.

¹⁰⁶ Fredrick 2003: 221.

¹⁰⁷ For his moral legislation as the very backdrop for accusations against Domitian see Vinson 1989: 432.

nam Vistilia, praetoria familia genita, licentiam stupri apud aediles vulgaverat, more inter veteres recepto, qui satis poenarum adversum impudicas in ipsa professione flagitii credebant.

That same year the *libido* of women was restricted by strict senatorial decrees and precautions were taken that no woman should sell her body if she had a grandfather, a father or a husband who was a Roman knight. For Vistilia, born into a praetorian family, had published her licence to commit *stuprum* with the aediles, according to a custom handed down by the ancients, who believed that the public announcement of the crime would be punishment enough for the *impudicae* women (Tac. *Ann.* 2.85.1–2).

In this cynical version of the imperial age it is not merely that virtues wane and vices are allowed to flourish, although this is certainly part of the story told by many imperial authors; even the vices themselves are not the pure and primitive vices that threatened early Rome (lust and avarice). Or, as in the passage cited above, we have an old vice, *libido*, but with a new twist: now it is the *libido* of women that must be curbed. We encounter such behaviour as the publicising of misconduct without expectation of redress, or the tolerance of misconduct without open chastisement. According to the rhetoric of our elite sources, Republican vices are twisted out of shape and subordinated to a new breed of vice: the lust for absolute power. The internalised regulatory forces of *pudor* and *pudicitia* have dissipated in this environment, and political ambition and fear take their place. Equally, in the post-Republican worlds conjured up by Petronius and Apuleius and by Martial and Juvenal, the principles of sly pragmatism and individualism cock a snook at the selfless, community-based patriotic ideals hammered into the Roman communal psyche by generations of *exempla*, such as those we access through the works of Livy and Valerius Maximus.

However, despite the discernible presence of this imperial flavour to a post-Augustan portrayal of the concept, we should be wary of positing a chronological development in the concept of *pudicitia*, or of the relationship between individual and community, over this period. The kinds of sources that survive towards the end of the era that this book has examined are rather different from those that survive from earlier; this may itself be due to the pressures exerted by new social and political structures upon literary output, but differences in the way that *pudicitia* is depicted are likely to be due as much to generic constraints as to wholesale shifts in perception of moral values.

Conclusion

The philosopher Seneca requests of Lucilius: ‘Teach me what *pudicitia* is, and how good it is, and whether it is located in the body or in the soul.’¹ We can now see what a resonant and challenging topic this is for a Roman philosopher, drawing him into long-standing and irresolvable debates about the nature of virtue, the nature of the moral subject and his or her relation to others, the moral responsibility of the individual for his or her own actions and experiences. *Pudicitia* could be located in the body or in the soul, or in the body *and* the soul; it could be more or less closely identified with virtue and moral strength or with (outmoded or inappropriate) idealism or (misleading) veneer, or with a physical state over which a disempowered individual had little control. It could be a badge of honour for married women or male politicians, a corporeal or notional purity under siege from bullying *libido*, a guardian of Roman freedom or an avenging brutality.

Pudicitia delineates a sphere of moral anxiety and reflection rather than appearing in our sources as a coherent and defined quality. Focusing on one text or group of texts at a time has enabled this book to highlight this diversity within, and to show that any attempt to resolve the puzzle of *pudicitia* with a single, simple definition is misguided. Any solution to the puzzle *pudicitia* poses is always necessarily contingent or temporary. As neat attempts at solutions go, Roman *sententiae* offer us provocative insights into the workings of the concept, but they can never be the last word, although I enjoy a tart one-liner from Seneca on the state of sexual morals in his day: ‘*pudicitia* is proof of ugliness’.²

For many ancient writers we have studied, the very fascination of the concept is in its volatility, since it is both hard to pin down and easily destroyed (fittingly, there is a butterfly whose Latin name is *pudicitia*). For the practitioners of some genres, particularly declamation, rhetoric and

¹ Seneca, *Letters to Lucilius* 88.8, see Introduction p. 1 above; cf. 49.12.

² Sen. *Benef.* 3.16.3: *argumentum est deformitatis pudicitia*.

oratory, it is its pliability that makes it so useful, and as an overtly thorny topic it provided the perfect training material for young would-be orators. In depicting the Roman concept of *pudicitia* in all its instability and flux, and showing thereby the provisional and unstable nature of Roman experience of sex and sexual morality, I hope to have provided a challenge to the currently accepted model of Roman sexuality, enabling us to move beyond an analysis of Roman sex in terms of penetration and binary opposites (useful though these can be).

This study of *pudicitia* has brought out strongly just how far Roman ethics was concerned with the positioning of the individual within a network of hierarchical social relations. *Pudicitia* was instrumental in regulating this system, keeping some individuals apart, drawing boundaries and emphasising differences and distances between individuals – between, for instance, Roman and foreign, free and slave, male and female, young and old, plebeian and patrician. Often *pudicitia* is used in the service of elitism, sometimes it is related to the most basic human freedom and dignity. It is clear that Roman morality was very much embedded in a discursive system in which virtue is always about an individual's constant renegotiation of position and status within the community and in relation to others. Throughout the sources that we have studied we find continual debates about the relation of individual to community and the means and intensity of moral regulation.

Within the sources we have examined in the course of this book, the concept is also deployed so as to point up the tensions in social relations, the limits to social regulation and social interaction of all kinds. *Pudicitia* is a focus for the expression of anxiety about the misuse of many of the fundamental instruments of power in Roman culture, such as magistracy, the law and rhetorical skill. Its potential to be misunderstood and misread made it a useful concept for exploring the limits and possibilities of communication between members of society.

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